

## LOCAL GOVERNMENT

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# LOCAL GOVERNMENT

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## PREFACE

Local Government is considered to be the bedrock of representative democracy. It is actually the working and efficiency of the local government which lends significance to the common man so far as the governance of the country is concerned. In our country, even during the alien dispensation, measures at different times for introducing an element of local self-government were taken both in the urban and rural areas. Lord Ripon's resolution, whose centenary went rather unobserved, was a landmark in this direction. With the attainment of independence and even earlier during the Provincial Autonomy, a number of experiments in the area of local government, both urban and rural, were made. All this provided a good deal of experience and indicated the new directions in which the local government could move.

With the commencement of the planning process in the country, it was realised that the local government could also be an effective tool for local development. For historical reasons and because of the nature of socio-economic developments, some kind of a dichotomy between urban and rural areas cropped up though one of the problems of local government relates to the question of working out a proper relationship between these two systems. The local government in the rural areas got a new impetus with the establishment of the Panchayati Raj. Balwantrai Mehta Committee Report made the most significant contribution in this direction. Due to many reasons, the ethos and elan of the Panchayati Raj began to fade away. Even the attempts to revitalise the urban government through Urban Community Development Programmes and other measures did not make any enduring impact. Thus, one finds that both the urban as well as the rural self-governing institutions are under strain. Therefore, it is only appropriate that efforts should be made to present an integrated view of their problems and possibilities.

Professor Abhijit Datta has made a selection of 14 articles dealing with different aspects of local government both urban and rural, from the published issues of the *Indian Journal of Public Administration*. The articles selected bring out the complexity of the problems whether they be of paucity of finances or of state control or of personnel system or of the role and relationship with other agencies. Some of the articles examine the lines on which efforts for improvement can be made.

As regards Panchayati Raj, we find that, taking into account the socio-economic advances, another committee was set up under the chairmanship of Asoka Mehta to suggest measures for revitalisation of

the Panchayati Raj institutions. But its recommendations somehow did not make the operational impact as was expected. In the field of urban government, while the existing municipal bodies continue to suffer from lack of resources, people clamour for more social amenities. There is a tendency to set up more and more specialised agencies leading to fragmentation of authority which create greater difficulties of coordination. Another unhappy feature relates to the supersession for long periods of the local bodies which creates cynicism and further weakens them even if the elections take place.

In his introduction, Professor Abhijit Datta has not only discussed the contents and the arguments of the various articles that have been included in the volume but has also provided a total picture of local government, urban and rural, and its limitations as well as possibilities.

I am thankful to Professor Datta for the pains that he has taken. I do hope that this volume will be of value and interest to the students of public administration as well as to those who are working with any kind of local government or even to those who may be concerned with policy formulation at higher levels in this regard. I am thankful to Shri K.P. Phatak and his professional colleagues in IIPA Library for giving a short but useful bibliography.

I would also like to thank Shri P.R. Dubhashi, Director, Indian Institute of Public Administration, for giving the opportunity to bring out this volume.

T.N. CHATURVEDI

NEW DELHI  
AUGUST, 1984

## INTRODUCTION

The fourteen articles chosen for the present volume provide a glimpse of the thinking and developments in both rural and urban systems of local government in India written by Indians and foreign observers over a period of more than 20 years—the earliest article was written as far back as 1957 and the latest article was contributed in 1978.

The present form of Indian local government is about a century old—taking the Ripon Resolution as the starting point, although the rural-urban dichotomy in the system dates back from the Montford reforms of 1919, when the District Officer was removed from the municipal arena, but was catapulted into the newly established rural local boards. Two fundamentally different systems—a modified English local government for the urban areas and a modified French local administration for the rural areas—were thus created and the twin have not since met. The municipal corporations that followed the Bombay pattern (1888) was a curious amalgam of the two systems in that a whole-time District Officer was posted as the Commissioner who could keep the elective wing under short-leash, as in the case of the later rural administrative set-up. After Independence, various attempts have been made to undo these colonial experimentations with the form and content of the local institutions, as the papers in the present volume testify, but the inherited legacy has proved to be too strong for any major system reform. Let us now concentrate on the thematic contents of the selected articles themselves to discern the message.

The first three articles are concerned with the post-Independence attempts to introduce a radically different form of rural local administration. Appleby and Dotson comment on the new-fangled panchayati system and one gets the feeling that Appleby was somewhat lost in semantics and failed to notice the strengthening of the integrative rural administration having the Yugoslav (or Soviet) system of tiering of authorities within the panchayati raj with all its implications for regimentation. Dotson is more forthright in his comments on the various aspects of the panchayati raj, as recommended by the Mehta Team, and he identifies a number of deficiencies of administrative design, such as, (a) the questionable definition of development work as a basis for organization, (b) the ambiguity of functions between the primary and the intermediate units, (c) the restriction of direct elections only to the primary level, (d) reservation of seats for cooperative societies leading to a support of particularistic interests, (e) the induction of the sub-divisional officer at the head of the samities and that of the district

officer at the head of the parishad being incompatible with democratic principles, and (f) the proposed structure providing for delegation, rather than devolution of powers for decision-making at the appropriate units.

Sharma in his paper describes two attempts at reorganization of local government immediately after Independence, in the form of the Janapada scheme of Madhya Pradesh and the Anchal Sasan scheme of Orissa, where a unified system of local administration, covering both rural and urban areas, at the sub-district level (tehsil or block) was sought to be created, to be headed by a government-appointed chief executive. The Madhya Pradesh scheme has never been fully implemented, while in Orissa the scheme did not take off the ground. The panchayati raj movement had overtaken these schemes. However, Sharma raised doubt as to : (a) whether rural local government at sub-district levels could really be viable, and (b) whether the transferred functions under the Janapada system would be better looked after by the local authorities, rather than by the district administration. The point that he failed to raise was that any such unification of local authorities would be integrationist in nature, given the verity of district administration, to the detriment of the separate local government status of the urban authorities.

The next group of four papers deals with urban local government. Nayak in his paper deals with the various problems that the city government faces and examines, in that context, its structure, instrumentalities and operation. He would like the committee system to be increasingly used for decision-making within the city government; at the same time, he does not see the contradiction of concentration of executive functions in the Commissioner of a municipal corporation. The English committee system does not allow a single executive to make operational decisions; by concentrating executive functions in the President of a municipality or in the Commissioner in a municipal corporation, the executive committee system of the English variety cannot operate within the Indian local government setting.

Rao deals in his paper with the various aspects of municipal elections and maintains that despite the general feeling that local elections should be kept clear of party politics, it continues to dominate municipal affairs. In the absence of such involvement of the political parties, group alignments would be inherently unstable and formed on the basis of caste or religion. Davies finds the powers of elected councillors in the municipal corporations in U.P. to be severely limited and their role is not to initiate policy or otherwise to pursue integrated set of objectives, but to scrutinize and ratify the proposals made by the administration and to draw attention to local circumstances which may affect application of policy in their areas. One feels somewhat uneasy on issues such as the distinct roles of the Deputy Mayor and the Chairman of the standing

committee in a corporation, the basic difference in the executive structure of the municipalities and the corporations, and the remarkable uniformity in the role of the Commissioner in the corporations throughout the country. The author's observations are somewhat out of place in the situational context.

In his paper Bhattacharya maintains that the way state control over municipal bodies is actually being activated now does not seem to indicate any systematic management orientation. In order to be meaningful, state control needs to be backed by a proper support system. Only within a broad state policy toward municipal institutions can control have any definite purpose. Within such a policy framework, management control could operate with adequate information and data storage at vantage points in state administration, with continuous feedback and evaluation of performance. This sounds well, but the question is whether the state governments are capable of organizing themselves on these lines to make their own 'output' decisions rational. Since most decisions of governments are 'input' decisions, it is not clear how their final 'output' could be satisfactorily measured and a control system devised to monitor the states' own 'output' or the 'output' of an outside agency, *i.e.*, a municipality. Surely, for exercising the mundane operational control instruments, recourse to a social indicator-type evaluation would be somewhat out of place.

Rai in his paper brings out the dilemmas of the role of the District Officer in the wake of the introduction of the panchayati raj, the controversy being whether he should 'assist, guide or advise from within' or 'control and direct from without'. His future role, according to Rai, is in coordination and not in administration and it is probable that the successful working of the panchayati raj system over the first ten or fifteen years will tend to render the District Officer less essential to the system. Since the reality has turned out to be the exact opposite of the prediction, one wonders if panchayati raj really had the chance of replacing the District Officer, as the entire scheme was an extension of the states' field administration, rather than its withdrawal from the panchayats as in the municipal system.

The next group of six articles deals exclusively with the various aspects of municipal government. Prakash concentrates on municipal organization and suggests that : (a) in the corporations an executive committee might be headed by the Mayor, the various functional committees should consist of outside experts and the Commissioner should head municipal staff; and (b) the bigger urban centres should have a two-tier municipal structure, as exists in Toronto, Tokyo or London. What is not clear in his scheme is whether the executive committee would function like the English local authority management board and, consequently, the independent executive status of the Commissioner would disappear. If

not, this will only substitute the Mayor for the Chairman of the existing standing committee and put him in an unenviable situation of acting both as the Speaker in the council as well as the Leader of the majority party in the corporation. As for the two-tier structure, Tokyo represents the integrative French system and does not augur well with the ethos of Indian municipal tradition. It is unlikely that a state government would encourage the creation of an elective metro-authority of the Anglo-Saxon variety that might challenge the state's authority or become its competitor in the governance of the metropolis.

Chatterji makes an interesting econometric analysis with the help of municipal fiscal and voting data to determine the optimum city size within the Calcutta metropolitan district. The author hopes that in future more powerful comprehensive 'models' will be forthcoming to facilitate improved urban and municipal research in India. Whether such models would solve the elusive problem of optimum city size is open to doubt, but if such models could integrate urban economic and physical planning it would undoubtedly constitute a conceptual, breakthrough. The comment-writer of the paper, Singhvi, wonders whether it would not be proper for a city like Calcutta to be constituted into a city-state in the Indian federation. If the states' response to the creation of elective metro-authorities has so far been lukewarm, if not positively hostile, it is doubtful whether the city-state idea would receive the required political support.

Thavaraj in his paper on local government finance feels that basically the problem of local finance cannot be solved in isolation of that of state finance and the ideal remedy would be to review the entire problem of centre-state-local fiscal relations to bring about a radical realignment of their fiscal powers and functional responsibilities. In an identical vein, my own paper maintains that a major advance in municipal finance is possible through inter-governmental cooperation and revenue devolution. The integration of municipal authorities with the state and national planning process would shift the responsibility of financing local development to the upper-tier governments. Municipal revenue gap could be bridged only when it is recognized that the municipal authorities have an important role to play. It is fair to add that a substantial degree of fiscal transfer to the municipalities cannot be expected without a realignment of tax powers between the centre and the states, since the current level of federal fiscal transfers already underwrites about a half of the states' budgets, taking both plan and non-plan parts together. To expect the states to act as Christmas fathers to the municipal authorities in this situation is to ignore reality.

Venkataraman makes an impassioned plea for provincialization of top-level administrative and technical posts of the municipal bodies; at the same, he is critical of the existing panchayati raj cadres

where there is a need for caution and pragmatism. Venkataraman fails to realize that the existing *laissez faire* situation in municipal staffing and the extension of statewide cadres to the panchayati institutions emanate from the systemic differences between these two. A wholesale adoption of the panchayati-type staffing pattern would violate the principles on which municipal authorities have been created. Presumably, the author's experience is limited to the situation in Tamil Nadu where municipal autonomy has been emasculated since 1934 and an integrated municipal personnel system introduced since then. On the other hand, Gujarat, with a separate municipal personnel system, has succeeded in promoting efficiency with organizational autonomy at the municipal level. Cadri- zation, therefore, is no panacea, as it is uncomfortably clear from the panchayati raj experience, and one could expect salutary results if the state government regulates the salaries, service benefits, qualifications, recruitment and disciplinary procedures, etc., of local government staff. As the author himself acknowledges, this is the most prevalent arrangement in many countries. The compromise of having a unified cadre really falls in between the two stools and is unsatisfactory to both the controlling authority and the local elected executive. One small point : Venkataraman should have referred to the Mallaby Committee (1967) rather than to the Hadow Committee (1934) in describing the English situation.

The last paper by Sharma and Sachdeva reports the unique provision in the Punjab municipal legislation for municipal police to help in removal of encroachments, checking evasion of octroi, etc. In practice, the police force is brought on deputation from the state government on payment of an agreed contribution by the willing municipalities. The authors draw parallel from the security force of foreign campuses, but such a comparison is misleading. The correct comparison would be with forces employed by the revenue departments of the central and state governments, like customs and excise. The authors do not refer to the need for local control of a statewide police force; such a need would arise if the police lobby succeeds in freeing themselves from the civilian control of the District Officer.

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# Some Thoughts on Decentralised Democracy\*

Paul H. Appleby

THE PHRASE 'democratic decentralisation' has been much more commonly used in India than the kindred phrase appearing in the title of this essay. The latter was suggested to me by Prof. Menon. Each of the phrases seems to me to imply an assumption. 'Democratic decentralisation' appears to suggest that decentralisation axiomatically enhances democracy. Indeed, for decades some such assumption has been frequently and widely expressed in the international world of political theorists. It has led to a notion rather common among citizens of democratic nations that 'centralisation' is evil, while 'decentralisation' is good.

Prof. Menon's slightly different phrase seems to me to reflect a significantly different assumption. 'decentralised democracy' appeals to me as correctly assuming that democracy has first been achieved through the establishment of a centralised governing institution designed to operate under popular control. It seems further to assume that a democracy so established may, when it is strong enough, carry on some or all of its functions through structures which in various ways and in degrees are more than ordinarily decentralised when this is found to be effective, desirable and not nationally debilitating.

The first thought to which attention here is directed, then, is that the democratic nation comes first: if India, or the United States, or Great Britain or any other of the democratic nations does not succeed, does not grow stronger and more effective as a nation, there will be little recognisable democracy within the area its boundaries had enclosed.

The father of this thought recognising the primacy of *national* democracy is unknown. Certainly it is not original with me, although I am unaware of the sources from which I derived it. And it has been very frankly and succinctly expressed in India by the Planning Commission in its official volume, *Third Five Year Plan*, published in 1961. On pages 292-3 there is an important paragraph, wholly relevant to the present discussion. While I am inclined to quibble about possibly too casual use of one or two phrases (such as 'most effective means')

\*From *Indian Journal of Public Administration*, Vol. VIII, No. 4, 1962, pp. 443-55.

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the paragraph as a whole has my hearty endorsement:

Uneven distribution of the fruits of progress, which is associated to an extent with the early stages of development in a democratic society, gives rise to a sense of deep resentment and frustration. This is greatly heightened by the spectacle of fortuitous incomes and gains from anti-social activities. Sharp conflicts, which stem from narrow sectional and regional interests, have arisen in India occasionally. It is not possible to provide full satisfaction for the rising expectations of various sections and regions at this stage. At the same time, there are forces at work which exploit all kinds of discontents and tensions, and pose a threat to the solidarity of the nation. While action has to be taken at political and administrative levels to curb these tendencies, the most effective means of combating this evil is for the community itself to strengthen its own defences and repel from within the attacks on the integrity of the nation. This protective strength can come chiefly from voluntary service and constructive activities organised by the people themselves. Explosive situations do not develop suddenly and when outbursts occur they are only symptoms of a malaise which has existed and grown over a period of time. Remedies applied at the moment can have only a limited efficacy. Wrong influences and destructive trends have to be neutralized constantly by positive forces that should be generated within the community all the time. This is, in the first instance, a task of widespread social enlightenment. Appeals made at the last moment are usually not heeded. It is through the quiet influence of voluntary workers, steadily engaged in acts of selfless service into which a large section of the community is drawn, that the voice of reason can prevail. Constructive work and comradeship in unselfish activity are a sure basis for progressive and healthy group life in a community which is exposed to a variety of disturbing impacts. In the circumstances of our country, these facts and considerations invest social action and public cooperation with a deeper significance.

Thus, the basic justification for various arrangements designed to secure citizen cooperation and participation in welfare and developmental programmes is clearly said to be to help maintain *the solidarity of the nation*. By almost equally explicit words the purpose is also said to be to augment the *national* effort. Rapid progress toward both objectives is, I am sure, of the highest importance to the world as well as to India. And it assuredly is true that many millions of citizens of India have under-utilised energies which could be directed toward enlargement of the development programme's achievements.

I have seen roads being built, wells being constructed and school facilities made available, and I know that these were in significant part the handiwork of villagers whose efforts can be similarly fruitful in other undertakings.

Raising the level of community life in this way needs no justification, and any consequential result in concentration of citizen concern on *national* success will be an important additional gain. But efforts of this kind will not succeed simply because they are based on attractive sentiments. I am familiar with two studies which have revealed instances of a damaging increase in confusion among those engaged in community development and a tendency within the new organisations to skimp, to misrepresent and even to withhold local contributions of cash.

Of course, I could not pretend at a great distance to judge the extent of such conditions or the effectiveness of remedial efforts. But it may be that a little emphasis on administrative theory and experience elsewhere will be relevant to the re-examination constantly being made within India. In this effort I shall discuss a few notions about the essentials of democracy and its special applicability to government, a few of the many common ideas about decentralisation, and some prevalent ones concerning 'popular participation'. In the following section, devoted to an 'effort to identify essentials of democracy, I shall emphasise the importance of the *structures of responsibility*.

## II

It was suggested in introductory paragraphs of this essay that the democratic nation comes first, that democracy seeps down from above rather than being imposed from below. This is to say that in the first instance, and often if not always in detailed development, it is a grant conferred by particular leaderships, whether in a city-state or in a nation-state.

Of course, in all organisations, even those of authoritarian sort, there is some give-and-take interaction between persons and 'classes' in different status levels. Democracy may have some recognisable beginning in some of the instances in which deference to persons of subordinate rank goes beyond what is required by conventionally acceptable practice. The English nobles who wished to strengthen their own position in relationship to the king and wrested the Magna Charta from King John in 1215 were not concerned about democracy, but as part of their tactics they put king more on the defensive by including within their demands some proposals on behalf of knights and yeomen who were not similarly aggressive.

This early contribution to an evolving democracy was in addition to an administrative method still earlier established by the Norman kings,

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and developed by their successors. Albert Beebe White, a University of Minnesota historian, after long and intensive research in primary English governmental documents, wrote in 1933 :

‘English kings, working in what they believed to be their own personal interest, so used the English people in government, laid upon them for centuries such burdens and responsibilities, that they went far toward creating the Englishman’s governmental sense and competence;... Norman and Angevin royal training has been more potent than an urge to self-government in Anglo-Saxon blood.’ He goes on to add that ‘if largely through England self-government has come into the world, here may be something new in explaining its beginning and its nature’.

A little later in the same volume, White suggests how the use by the kings of community methods antedating the kings and long preceding anything that could be called ‘democracy’ became more equitable and more ‘popular’ simply by transferring general responsibility for old local governmental activities and methods from local persons to the monarch. The king’s self-interest, while by no means so much oriented to citizen equities as heads of state in later times who were in their posts as direct consequence of popular suffrage, was better served when he used citizens as his own agents in the communities if at the time they served to maintain social order and interpersonal equities in terms of a broader set of concerns than the communities alone could envisage. The local familiarity possessed by the king’s agents and some responsiveness to local influences surrounding them, on one side, combined with the king’s power to review and penalise, provided something much more precious and promising than either could produce alone. Structure ensuring consideration in terms *both* of community and of state was of the essence.

The eventual result of the complementary pulls up and down in a single political structure Beebe identified in the title of his fascinating little classic, *Self-Government at the King’s Command*.<sup>\*</sup> The preference of successive kings for the utilization of citizens in performance of governmental functions was exhibited early in English history, and was clearly and far developed by the time of Magna Charta. Beebe close the first quarter of the thirteenth century for special study not because that was the time of Magna Charta but because the pattern then had become clear and the records voluminous and detailed. He wrote:

A share in government, even at the end of the middle ages, was not felt to be a privilege, except in the case of a few: the great ministers,

<sup>\*</sup>University of Minnesota Press, 1933.

possibly some members of parliament, and such minor officials as received stipends. To the great mass it was a burden...as much a heavy accompaniment of life as bodily ills and weariness...; it had been the king's will that very many should do it... It must be concluded that the state made one of the two or three leading facts and influences in the lives of, say, the one hundred thousand knights and freeholders, and, indeed, of the possible three hundred thousand peasants of that time.

A political scientist of repute writing as a contemporary of Beebe expressed a similar view. Henry Jones Ford said in *Representative Government*, published in 1924:

Where liberal institutions have been successful they seem to have been dependent upon some past discipline maintained by coercive authority, and as that decays liberal institutions seem to lose their ability to discharge the primary duties of government.

Democratic leadership tends especially to put more burden upon citizens than they can carry well, and tends rather too readily to establish 'independent' or 'autonomous' agencies, functions or areas of government. Good sentiments thus lend themselves to the establishment of debilitating structures. The prime essential to effective democracy is that it should be so formed as to be subject to some influence by anybody and everybody and not too much subject to influence by anybody. This is possible only through a unified structure that requires interaction of many diverse concerns through many related elements of representation and functional capacities. *Responsibility upward is essential to the continuing effectiveness of responsibility downward*; unless the general interest is well served, the particular interest will have a diminishing chance of being well served. Without responsibility and accountability upward those drives become dominant which Thomas Jefferson called 'local egoisms' and which in India are called expressions of communalism.

Democratic governments, based on majority rule, are more deferential to minorities than any other kind of government. But a national democratic government has more kinds of minorities than do its subordinate jurisdictions, and the more cosmopolitan, national government democratically structured is more protective of civil liberties. Look at the race problem in the United States for a vivid example: to protect the Negro, the nation has had to impose a national standard. However much a democracy may delegate, *capacity* for intervention should be staunchly maintained at successively higher levels of responsibility. It is maintaining the capacity for popular control that makes



democracy real and accountability feasible. And it is the capacity for popular control at the top that is most crucial. At the bottom of government, citizens are most often in the position of *subjects* of government. Neither the speeder, the thief, or the merchant giving short weight or engaging in unsanitary practices should, *in any of those capacities*, think of himself as a sovereign. He is a sovereign in his ability in more general relationships to influence the general nature and direction of his society. As a subject, his concern should be for due process, fair dealing and compassion, most likely to endure when maintained by the organs of government-in-general.

In my view, democracy is most fully applicable among organisations importantly responsible for great activity and embodying the *extensive and cosmopolitan institutions of governance*. In other words, the chief democracy will ever be political democracy—the democracy of government—and in that area national democracy will ever come first and foremost. Within democratic governments there will be some sensible differences in democratic character, according to function and stage of development. The military organisation of a democratic government, for example, is likely, for as long as we can imagine, to have less democratic manner and method than other important parts of that government. Yet it will certainly have more democratic character than the military organisation of an authoritarian state.

Within democratic nations there will be many organisations not designed along democratic lines. A football team will not decide each play by team vote, for example, and referees, umpires and coaches are not likely to be chosen by the teams. Yet it will almost certainly be characterised by easier give-and-take than a similar team in an authoritarian country. There are by-products of political democracy which are alterations of earlier ways of organising and managing non-governmental affairs, and these are often more appropriate to the activity than would be an outright adoption of the structures and procedures of political democracy. Collective bargaining developed first and most in democratic nations and as changed in the light of further experience will surely serve the need better than any system based upon a theory of 'employee sovereignty'. Actually, I believe, numerous and specialised sovereignties of such a sort would immobilise governmental sovereignty and retard civilisation.

India does not have the power of strong kings to back up—and override—community government, nor centuries in which to build slowly the unique citizen capacities that were built up in the reluctant citizens who governed at the king's command. And we must remember that the British national government still maintains unlimited power to intervene at every subordinate level of government; it has no federal or semi-federal system, no really independent organs in the way that

some of the others of us tend to create autonomies.

I am suggesting two things. First, and simplest, I am suggesting that in efforts to use local energies and capacities there should be care to maintain clear capacities for control at more broadly responsible levels of government, so that the communities will be firmly required to make the contributions they are said to be making, and so that what is done makes sense in terms of what is being done elsewhere whenever that matters. Secondly, I am suggesting that what is done in the communities be not unduly exaggerated, be not misunderstood as constituting some transcendent kind of democratic achievement. In the long run, as India succeeds, the nature of an advancing complicating civilisation will require the transfer of a large part of this community activity into governmental bureaucracies, with technical competence in knowledge and technical materials which will produce enormously more per man-hour.

The second suggestion undoubtedly needs a good deal of explanation. I shall attempt only two illustrations.

The first illustration concerns the eventual movement out of the community group of work the community now may reasonably be expected to do, and the general advantage to society involved in such a shift later on. It is a simple condensation of a tremendous phenomenon observed principally but by no means exclusively in my own country.

In my early boyhood, standards of living, wage income, and the nature and location of economic activities in the United States were very much like the same things in India when I first visited there. "Another day, another dollar", was a common saying of wage-earners, and a dollar then bought in the United States about what one rupee would buy in India—when spent by an Indian. In those days, many households known to me produced their own soap, yarn, animal fats, milk, and much of its other food, clothing and 'services'. Members of the family shined their own shoes, did their own laundry, cleaned and filled lamps, and so forth. Today, we look to commercial bakers, dry cleaners, laundries, clothing stores, and dairies; we rent telephone service, pay for electricity instead of kerosene, and have many gadgets to change the nature of housework. Many, many activities have moved from the household to the market-place, and the tools of work have been revolutionised. At the same time wage earners' work activities have been similarly revolutionised to the point where many persons are becoming unemployable because job requirements exceed their training.

The preceding sentence actually marks the end of one revolution and the recognition of our involvement already in still another. The first made possible an amazing improvement in the standard of living

by workways, which made the handicraft-subsistence way of life wholly out of date. The second revolution makes the future use of community and individual activity in the simple ways of yesteryear prospectively even more futile. That kind of labour could not produce enough to exchange in tomorrow's market for the simplest and barest necessities of living. We have looming before us a major problem of our own. But surely our history shows that no technically advancing nation can long expect much fruitful utility in mass work—breaking stones for paving roads or other hand labour. Some of the older types of goods can continue to be made and sold to some advantage for their aesthetic and memento values. But an entire society can for not more than a few decades expect to find significant economic gains to be achieved through such activities. Democracy presumed to rest in any important measure on such work as would be within the competence of small village units working in rather self-directed efforts would be shortlived.

I am old enough to be sad as I see the single-family farm as I have known it in the United States passing from the scene. And I am shocked to realise the difficulties of training and retraining workers—and finding many fairly young persons incapable of being well enough trained, when it comes time for the third or fourth retraining. But this is the direction in which an expanding economy and proliferating technologies move us. Only very resourceful organized efforts on a great scale will be capable of providing sufficiently fruitful ways to enlist and stimulate the abilities of responsible citizens in the decades ahead. We must 'think big', and give rein to compassion and humanity without being merely sentimental and nostalgic.

The second example I would offer is the zeal for democracy which overloads citizens. In my own country, again, we find an example of a phenomenon not unusual in democratic nations. One of our outstanding presidents, Theodore Roosevelt, led a movement half a century ago which resulted in many changes in state constitutions and statutes. The 'initiative' and 'referendum' processes were provided for so that citizens in some states now in a general election may vote on a dozen or more amendments to the state constitution, on a dozen or more proposed laws, and vote individually for perhaps thirty candidates out of a field of as many as a hundred. Legislatures thus have been encouraged to evade their responsibilities and citizens have been asked to express judgments in too many matters on which they cannot make intelligent choices.

Experience has led to a reverse trend. It is now generally recognised that constitutions should be brief and make only very general arrangements of government, that ballots should be short and those elected made more generally responsible. For us in the United

States there is also a growing realisation of the importance of a party system, tending rather steadily toward a two-party system, and a good deal of a party discipline, so that a principal choice for citizens is the choice of a party. The ability to expel one party from office and to make another party responsible in its place, in an orderly succession, is increasingly seen as having great and pervading significance to democracy.

### III

Turning particularly to the presumed identification of decentralisation with democracy, I assert dogmatically that the two have no definite relationship at all. Decentralisation by a non-democratic government is certain to be non-democratic. Decentralisation by democratic government is more likely to have some democratic character, but this will not certainly be true in all instances or in full measure.

Imposed authority is, by definition, undemocratic, whether or not the imposing authority is within itself democratic. The word 'empire' identifies a power imposed over a wide area. There is little opportunity for those at the centre of imperial power to know well the areas and people governed, and their power is of necessity delegated to subordinates. This is decentralisation. Further, especially in past centuries, communication between the centre of empire and farspread agents was slow, difficult, and limited. This intensified 'decentralisation'. So it is that the world has had much experience with 'decentralisation', but has had little evidence of or experience with democracy resultant from it.

As nations began to be characterised by an emergent democracy in-home we are in contrast, well aware of important modifications in their partners of colonially or imperially imposed rule. The change was not an increase of decentralisation, but a relative increase in the extension of some of the relatively more democratic processes and methods developed centrally. Even so, unless there was a fully integrated democratic entity ('centralisation') there was less democratic character in colonies and dependencies than there was in home or imperial government.

Britain, itself by no means a full-bloom democracy at the time her American colonies came to demand equal membership and then to achieve independence, had vested rights in her citizens at home not equally conferred upon 'colonials'. The more decentralised part of the nation was the less democratic. Today, the United States similarly does less well with the people of the Panama Canal Zone than we do for citizens of our 50 states. The Zone is so decentralised, so far as the nation is concerned, that we hardly know it is there. Our record else-

where is a superior one, as the Philippines and Puerto Rico testify. But in these cases we put our better foot forward—granting “self-government at the Republic’s command”, so to speak. It did not come about automatically because of decentralisation. Indeed, the Philippines and Puerto Rico have advanced most rapidly both in their democratic character and in economic well-being, as they have become more centralised, and that democracy does not inevitably result from decentralisation. I am asserting that for a democratic government to pursue belief in the desirability of extending decentralisation is not at all the same thing as pursuing the search for manifold ways in which to produce more effective and more satisfactory public administration. I complete my case on the present occasion by extending perspective to include non-governmental type organisations.

Decentralisation is a commonly developed pattern among very large business and industrial corporations. A parent corporation may have a considerable number of subsidiary corporations. This is one important form of decentralisation. It is neither chosen nor maintained because of any commitment to some theory of ‘democracy’ in business, but as a better way to organise a particular set of enterprises. The companies of this galaxy, or a company not having subsidiaries, may have regional, district and plant offices because of the way in which raw materials are available, the way transportation enters into consideration, the location of suitable workmen, or because of marketing factors.

The spread of organisational forms is for business wholly a question of what structure is likely to serve needs best. Government should be at least as sensible. The basic question about governmental structures for India is this: “What structures will most certainly contribute to the strength and effectiveness of the nation?” There are many difficult sub-questions. They are technical questions. They are not likely to be well solved by invoking shibboleths.

There may be reassurance for some in the knowledge that decentralisation will inevitably increase, anyhow, through spontaneous actions of those in charge of governmental programmes. As organisations get larger, decentralisation is an administrative necessity; only by more delegation are increased responsibilities made manageable. All of the best such arrangements I have ever seen or heard of and nearly all of the total decentralised structures are the more or less unconscious and non-doctrinaire product of administrative search for manageability. On the other hand, it must also be recognised that, with the advance in science and technology, centralised responsibilities will increase too. There is no sensible way—and no democratic way—to pass to a field laboratory newly necessary decisions and those of even greater import the future will produce.

IV

Something also should be said, I think, about the notion rather common among democracy's zealots that government is more democratic when citizens participate in its day-to-day work. Here I must take some issue with a statement in the official publication presenting and explaining India's Third Five Year Plan. A few pages preceding the quotation I cited earlier with my hearty endorsement appears this paragraph:

In the context of democracy, administration is effective in the measure it is based in its day-to-day working on the participation and support of the people. In the activities in which official agencies are engaged there is a large sphere in which the cooperation of the people can be sought and secured to achieve a degree of success which would otherwise not be possible. These tasks should be identified precisely and the obligations and responsibilities of the people in relation thereto made known clearly.

I cannot, in the space available to me, explore the question of how uniformly, in how detailed a way, and how immediately (day-to-day ?) popular support is a measure of democratic effectiveness. Nor can I say more about 'precise' identification of responsibilities than that as administrative theorists have gained in experience with and close-up view of administrative affairs they have tended more and more confidently to put such statements in the classification of mythology along with 'clear line of command'. Administration is most constantly an *interaction* of various obligations and responsibilities, rather than something precise and 'clearly known'. The clearest responsibility is *up the hierarchical line* where power vests that is capable of changing what is being done, and where the people can identify those in charge. The citizens cannot hold everybody who is engaged in public business responsible, but they can hold 'a government' responsible. This is popular accountability, and it is this, not popular participation in the responsible conduct of specific governmental activities, that is a prime essential of true democracy.

At the local level identification of those responsible is not as easy as some believe it to be. Those elected locally may claim that 'the state' failed to put up enough money, or that 'the Centre' failed to furnish necessary equipment, or that some government technician gave wrong advice or failed to advise. Or they may pass the blame for failure to citizens elected from nearby villages. Some of these local leaders are hard to challenge. They may be money-lenders to whom citizens are indebted. In any case, they are neighbours with whom the villagers wish to live in peace. Those elected, on the other hand, will wish

to retain eminence and will prefer begging for more government money to raising money from those who elected them. Such money as is raised will almost certainly come disproportionately from the citizens least able to pay. Certainly in the United States the studies of the Tax Foundation show emphatically that payment of taxes according to ability to pay is least the rule in local government, most the rule in national revenue-raising. This is natural enough, and should be expected. But it is certainly not an indication of an enhancement of democratic character by putting responsibility into the community.

There may be, as I said early in this essay, perfectly good reasons for enlisting citizen participation in community development. But I believe that these reasons are not related to the pursuit of a more expansive democracy. And surely after a few decades this way of utilising energies will be less rewarding; gradually many of the activities carried on in this way will become wasteful.

The advance of civilisation will complicate the non-governmental activities of citizens, so as to require more and more time and attention as well as more and more specialised competence. The same thing will be happening to governmental affairs, even those carried on at the grass-roots. Citizens will become more qualified for other tasks. This point I merely repeat in order to lead to a final question: What, then, can be said positively about citizen activity on behalf of democratic government, an activity that will not become obsolete?

I think the participation in public affairs important to citizens and peculiar to democracy is participation in *politics*.

'In the context of authoritarianism' or 'in the context of oldtime autocracy' there has been very little in the way of popular politics. There is Kremlin politics. There was court politics. But any general participation in politics in such regimes comes vaguely if at all most of the time, slowly most of the time, and irregularly—in all these terms as a trickle of influence. Otherwise it comes explosively and spasmodically. And it is never very widely popular in any systematic way. Concern about what should be found 'in the context of democracy' points in the opposite direction: to a very widely popular politics, continuing political activity, systematic politics, insurance of orderly shifts in power from one regime to another, the presence of a readily available alternative, determination of the choice of governments by a majority, and providing such choice by means of a party system.

Politics is the hallmark of democracy. And it is the means of making sense in general in contrast to the way in which specialisms make sense in particular. Politics in a democracy is peculiarly qualified to uphold the mass interest—the general interest. For this function it is not relevant whether some members of the public do or do not carry on some of the operating work of government as a quasi-private kind of matter.

The thing that is important is that the public appraises and chooses governments and parties-in-power. As party members they also have to do with choosing party leaders. Otherwise, the most particular function essential to popular sovereignty is to determine what may or must be treated as a general issue.

All government is politics : the resolving or balancing of conflicting interests, functions and ideas in pursuit of a more *general* interest. Democratic government is widely popular politics, systematically bulwarked to provide orderly transitions and *to keep future choices open* □



# Democratic Decentralisation in Local Self-Government\*

Arch Dotson

INDIA HAS a long history of local self-government, which persisted through Mughal times; but this tradition was interrupted under the British Raj.<sup>1</sup> During the struggle for independence, Gandhiji and others proclaimed that the revitalised village must be a cardinal feature in the polity of free India. It is not surprising, therefore, that the Constituent Assembly included in the Constitution of the Republic the following Directive Principle of State Policy:

The State shall take steps to organise village panchayats and endow them with such powers and authority as may be necessary to enable them to function as units of self-government.<sup>2</sup>

Free India has been much concerned to fulfil Gandhiji's promise and to implement the constitutional directive. The First Five Year Plan declared that "from now on, the primary emphasis in district administration has to be on the implementation of development programmes in close cooperation with the active support of the people."<sup>3</sup> The Second Five Year Plan also gave special attention to the development of local government, and urged that the village panchayats, along with cooperatives, strive to bring about a more just and integrated social structure in rural areas.<sup>4</sup> The Local Finance Enquiry Committee, 1951, and the Taxation Enquiry Commission, 1954,<sup>5</sup> have both recommended strengthening the local revenue base in order that the states political sub-division may have the strength to be the foundation of the new socialist pattern of society. Many states have passed fresh legislation

\*From *Indian Journal of Public Administration*, Vol. IV, No. 2, 1958, pp. 38-50.

<sup>1</sup>Jawaharlal Nehru, *The Discovery of India*, London, Meridian, 1956, p. 244 ff., includes a brief discussion of this tradition and of the sources of our information on the functioning of local self-government in pre-British India.

<sup>2</sup>Article 40.

<sup>3</sup>*First Five Year Plan*, p. 130.

<sup>4</sup>*Second Five Year Plan*, pp. 221, ff.

<sup>5</sup>*Report*, Local Finance Enquiry Committee, 1951, pp. 117 ff.; and *Report*, Taxation Enquiry Commission, 1954, Vol. III, pp. 539-49.

since 1949, to create or buttress units of local government.<sup>6</sup> A Central Council of Local Self-Government was established in 1954, having among its purposes to consider and recommend broad lines of policy and draw up a common programme of action to promote local self-government throughout India.<sup>7</sup> Some states have conducted studies to reconsider the entire pattern of their rural government institution,<sup>8</sup> while others have directly initiated major changes in existing forms<sup>9</sup>.

In this context of hope for effective local self-government, dissatisfaction with recent performance, experimentation with new forms—in this background of an ‘agonizing reappraisal’ of local government policy, the Committee on Plan Projects of the Planning Commission set up in September 1956 a Study Team on Community Development and National Extension Service to investigate on an all-India basis the working of these programmes.<sup>10</sup>

## II

The Mehta Study Team undertook to determine, *inter alia* :

The extent to which the (community development) movement has succeeded in utilising local initiative and in creating institutions to ensure continuity in the process of improving economic and social conditions in rural areas.<sup>11</sup>

After a year of study, the Team reported its findings and submitted proposals. The foremost of its discoveries were summarised in the following paragraph:

Admittedly, one of the least successful aspect of CD and NES

<sup>6</sup>See, for example, the Jammu & Kashmir Panchayat Act, 2008 (1951); the Rajasthan Panchayat Act, 1953; and the West Bengal Panchayat Act, 1956.

<sup>7</sup>This Council includes the union minister for health as its chairman, and the state ministers for local self-government and panchayats as members. Three meetings have been held to date, the last being at Srinagar in September, 1957.

<sup>8</sup>For example, in 1955 the Punjab Government issued a White Paper on the Reorganisation of Rural Local Government. Madras and Andhra Pradesh have also recently published White Papers on the reform of local administration within their jurisdictions.

<sup>9</sup>In Assam, primary education has been transferred to *ad hoc* boards; in Bombay primary education has been transferred to district school boards; in Mysore, Government propose to replace district boards by taluk development boards; and so on. Still other changes in local government organisation have been instituted or are pending in other states.

<sup>10</sup>The Study Team was led by Shri Balvantray G. Mehta, MP. The Team's Report, in three volumes, was published in November and December 1957.

<sup>11</sup>Report, Vol. I, p. ii. The full terms of reference of the Team were much wider than this item alone. They are reproduced in full in Vol. III, Appendix I of the Report.

work is its attempt to evoke popular initiative. We have found that few of the local bodies at a higher level than the village panchayat have shown any enthusiasm or interest in this work; and even the panchayats have not come into the field to any appreciable extent... So long as we do not discover or create a representative and democratic institution which will supply the "local interest, supervision and care necessary to ensure that expenditure of money upon local objects conforms with the needs and wishes of the locality", invest it with adequate power and assign to it appropriate finances, we will never be able to evoke local interest and excite local initiative in the field of development.<sup>12</sup>

After these findings, the Team undertook to determine what new bodies should be established, and with what jurisdiction, powers and resources, to build the new base for rural development.<sup>13</sup> The burden of the recommendations, therefore, centred on a proposed 'democratic decentralisation' of development work.

Before examining this proposal, it is necessary to note the definition of one of the operative terms, 'development work', according to the Team, "covers agriculture, animal husbandry, cooperation, minor irrigation works, village industries, primary education, local communications, sanitation, health and medical relief, local amenities and similar subjects".<sup>14</sup> As wide as may be the specific functions in this definition, 'local amenities' cover a multitude of activities, and 'similar subjects' even more. Elsewhere in the *Report*, it is apparent that these last items may include the relief of distress, arrangements in connection with local pilgrimages, construction and repair of roads, the fixation of wages under the Minimum Wages Act for non-industrial labour, the welfare of backward classes, the collection and maintenance of statistics, and the management of high schools. Possibly the development of small forests, the maintenance of watch and ward establishment, excise "and such other items" may also be brought into the "field of development".<sup>15</sup>

Such a definition embraces virtually all of the services of local government. The only notable omissions are law and order and the judiciary, the former being a state function in any event. Without commenting on the validity of this specification, it may be noted that the scope of the proposals must, by virtue of this definition, cover local government itself.

<sup>12</sup>*Report*, Vol. I, p. 5.

<sup>13</sup>*Report*, Vol. I, pp. 5, 6.

<sup>14</sup>*Report*, Vol. I, p. 7.

<sup>15</sup>*Report*, Vol. I, p. 11 ; Vol. III, p. 167.

Under democratic decentralisation, the old district boards would be swept away. They would be replaced by a new authority, supplemented by revised or new bodies, as outlined below:

- (a) *Panchayat samitis* would be created, to be co-extensive with development blocks. The deliberative council would be constituted by indirect elections from the village panchayats, and would consist of about 20 representatives chosen for terms of 5 years. Further, up to 10 per cent of seats might be filled by representatives of the cooperatives functioning within the block.

The panchayat samiti would have two sets of officers, at block and village levels. The block level officers would include the chief officer and various technical officers; while the village workers would include *gramsevak*s, primary school teachers, and others.

The functions of the panchayat samiti would include all of the activities indicated above as comprising development work, plus the approval of village panchayat budgets.<sup>16</sup>

- (b) *A village panchayat* would be created for each village in the block; or in appropriate cases, several villages might be joined into one panchayat. A small number of panchas would be elected.

The *gramsevak* of the panchayat samiti would become the development secretary of the gram panchayat. Where there are several villages in the *gramsevak*'s jurisdiction, however, a circle committee comprising sarpanchas and upsarpanchas of each of the constituent gram panchayats would be formed, and the *gramsevak* would serve as its development secretary.

The functions of the village panchayat would include, similarly, the activities of development. Certain functions would be yet obligatory, while others might be added with consent of the panchayat samiti. Further, the village panchayat "will act as the agent of the panchayat samiti in executing any schemes of development or other activities."<sup>17</sup>

- (c) *Zila parishads* would be established, to be co-extensive with districts (or after the districts wither away, a number of

<sup>16</sup>Certain revenues are assigned to the samiti, including a percentage of the land revenue; sugar, water, and other cesses; tax on professions; surcharge on duty on the transfer of immovable property; tolls; pilgrim tax; grants in aid, etc. (*Report*, Vol. I, pp. 12-13).

<sup>17</sup>*Report*, Vol. I, p. 18. Certain revenues are assigned to the village panchayat, including the house tax; market tax; octroi or terminal tax; water rate; grants in aid from the panchayat samiti and so on (*Report*, Vol. I, p. 16).

development blocks). Its members would include the "presidents of the panchayat samitis, all members of the state legislature and of the parliament representing a part of a whole of a district whose constituencies lie within the district, and district level officers of the medical, public health, agriculture, veterinary, public health engineering, education, backward classes welfare, public works and other development departments. The collector will be the chairman of the parishad and one of his officers will be the secretary."<sup>18</sup>

The zila parishad will have no executive functions. Its task will be to ensure necessary coordination between the panchayat samitis. The zila parishads would replace present district planning committee. "And only the zila parishad will, in all matters, deal directly with the government or commissioner or divisional officer where such functionaries exist."<sup>19</sup>

The general pattern, therefore, is for a three-tiered scheme. At the bottom are the directly elected village panchayats. At the intermediate level are the panchayat samitis, elected indirectly by the village panchayats, and possessing all powers of development permitted by government. At the top are the zila parishads who without executive functions, supervise and coordinate the work of the panchayat samitis. The levels are linked by : (a) the *gramsevak* serving as development secretary of the village panchayat; (b) the approval by the panchayat samiti of village panchayat budgets and, in turn, approval by the zila parishad of panchayat samiti budgets; (c) the election of panchayat samitis from village panchayats; (d) the *ex officio* composition of the zila parishad; and (e) the power of each level to require the lower level to to function as its agent.

This, in brief, is the proposal for democratic decentralisation of development work, *i.e.*, for democratic decentralisation of *local government*.<sup>20</sup>

### III

Keeping in view the circumstances which led to the appointment of the Mehta Team, its findings and proposals, it would be appropriate to make here an appraisal of the Team's main recommendations. This appraisal should be made, primarily, within the framework employed for the *Report* itself. Accordingly, the administrative measures suggest-

<sup>18</sup>*Report*, Vol. I, p. 19.

<sup>19</sup>*Report*, Vol. I, pp. 20, 21.

<sup>20</sup>Only the major features of the scheme are outlined above. Detailed and supporting provisions will be introduced below, as needed for discussion.

ed may be tested, so far as their design is concerned. But before the soundness of the proposed reforms can be finally appraised, it is necessary to examine them in a more general context; and this is attempted in the conclusion of this section.

If we accept, for the moment, the Team's own view of its quest, *i.e.*, to "discover or create a representative and democratic institution" of local government, a number of assessments must be made.

The first is that there is a general failure in the *Report* to differentiate between the characteristics and requirements of different functions. To call the entire gamut of local government services "development work" may serve to bring the whole of local government under review; but it does not help to determine appropriate jurisdictions or to distribute functions among levels of government.

That there was in fact no such differentiation among functions is first implicit in the definition of development work. It becomes increasingly plain when the Team chooses the intermediate unit. Nowhere does the *Report* examine the requirements for optimum administration (including policy making) for primary education, for example, as contrasted with land management, as contrasted with public health, or as distinct from any of the other profoundly unlike activities which are categorised as development work. Instead of reaching an optimum unit by building up specific requirements, the Team have referred to existing units and made a selection. They observe that "the jurisdiction of the proposed local body should be neither so large as to defeat the very purpose for which it is created nor so small as to militate against efficiency and economy."<sup>21</sup> But then the rationale moves ahead, as here: "Obviously, the village panchayat is too small in area, population, and financial resources to carry out all these (the development) functions."<sup>22</sup> Similarly, the districts, tehsils or talukas, and sub-divisions are unsatisfactory. However, the development block "offers an area large enough for functions which the village panchayat cannot perform and yet small enough to attract the interest and service of residents."<sup>23</sup>

One may question whether this is a scientific conclusion. That local unit must be neither too large nor too small is, indeed, obvious. But is it also obvious that the village panchayat might not be reconstituted to meet the need which it is proposed to meet by an intermediate unit? It is also obvious that districts are everywhere too large? If this is the case, then why may not the sub-divisions, tehsils or talukas be adequate, particularly where they now correspond to development blocks in area, population, and resources?

<sup>21</sup>*Report*, Vol. I, p. 8.

<sup>22</sup>*Ibid.*

<sup>23</sup>*Ibid.*, p. 9.

It would appear that the choice of the development block, rather than some other arrangement, was determined by the initial definition of local government as development work, and then the preference for the existing development jurisdictions the necessary intermediate unit. There was no real opportunity for the Team to test this conclusion because the specific and detailed requirements of individual functions were never appraised. To over-simplify the logic, but perhaps to catch the truth of the process of choice : since local government is development, and villages cannot perform all development functions, and other units are not development units, therefore the intermediate unit of local government should be the development block. At each stage in this process, it will be noted, there are untested assumptions.

The lack of differentiation among functions also appears in the proposed distribution of activities between the panchayat samitis and the village panchayats. When the assigned activities of each level are examined, it is seen that both levels are often allocated the same responsibilities. For example, the village may supply drinking water; so may the panchayat samiti. The village is charged with the 'supervision' of primary schools, while the block is allocated the 'administrative control' of the same primary schools. The block is assigned "the welfare of backward classes"; the village is to attend to "the welfare of the backward classes"—presumably the same classes.<sup>24</sup> Moreover, the *Report* speaks of two "sets of officers" of the block, at the village and the block levels.<sup>25</sup>

To be sure, two or more levels of administration may be engaged in the same functions, if these functions are divided internally as to activities and responsibilities. The proper division depends upon the characteristics of the function and the capacities of the units concerned, among other things. But when no analysis of either has been made, clarification of assignment may not be achieved. This ambiguity, deriving from a lack of basic analysis, is only increased by the suggestion that "all the functions concerning a village within the jurisdiction of a village panchayat should be the responsibility of the village panchayat except for the functions involving similar interests of more than one village panchayat; these should be the responsibility of the panchayat samiti."<sup>26</sup> With this criterion as the governing principle and without scientific analysis of requirements, it is quite impossible to ascertain who should do what concerning drinking water, primary schools, the backward classes, or many of the other functions assigned

<sup>24</sup>*Report*, Vol. III, pp. 167-9.

<sup>25</sup>*Report*, Vol. I, p. 13.

<sup>26</sup>*Report*, Vol. III, pp. 167.

to both villages and blocks.

At another series of points, the Team's proposals may prove unsound. The arrangements recommended seem incompatible at several places with the overriding purpose for which they are made, that is the evocation of initiative and the creation of representative and democratic local self-government. For example, the only elections proposed to be held are at the village level; the panchayat samitis are selected by the village panchayats, and the zila parishads are *ex officio* bodies. The case against direct elections, at least to the block level, appears to be that: (a) they are expensive, and (b) they encourage factionalism. But surely the balance of advantage tips the other way. The panchayat samitis are described as key bodies in development policy; their importance is represented as surpassing in many ways that of the village panchayats. Moreover, one of the main supports to democratic education is the exercise of the right to vote. Certainly the expense would be offset by the value received, particularly in a complex governmental structure involving two additional levels of power above the village, and in the circumstance that local responsibility and initiative are sought to be encouraged.

Similarly, it is quite unacceptable within the purpose of the reforms to have reserved seats for the cooperatives on the panchayat samitis. This provision, like others previously cited, may have arisen from the failure to differentiate properly among functions. A cooperative society is a restricted association for economic advantage. In the nature of things it cannot be open to all citizens in the block. Cooperatives may protect and promote their legitimate interests through the ordinary processes of representation and petition. They do not require double representation. Such an arrangement is inherently an abnegation of universal (and equal) adult suffrage; and it has no place at the base of India's democracy.

Again, it is puzzling why it should be considered appropriate to provide that during the first two years of the life of a panchayat samiti, the sub-divisional officer or revenue divisional officer should be its chairman. The reason offered, "to ensure that the administrative machinery of the block is assembled and set in motion by a person with administrative experience", seems an inadequate cause and an unnecessary arrangement. As the Team observes elsewhere, "the country has found competent persons to take charge of its affairs at other levels; the needs and circumstances of the block level body will discover adequate personnel within its area."<sup>27</sup> There would therefore be no reason to doubt that a satisfactory chairman would come forward. It would be most stultifying to place this key post at the very outset in

<sup>27</sup>Report, Vol. I, p. 9.



the hands of a government officer. Moreover, if the deliberative and executive functions are divided as proposed, the chairman will have no business to put the administrative machinery in order. Further still, this should be the job of the chief executive officer for whom provision is made and not of the sub-divisional officer.

In a more fundamental way, the ends and the means of democratic decentralisation have not been made to square. It is a great anti-climax to the call for 'faith in democracy'<sup>28</sup> and to the defence of popular institutions at the village and block levels, to have the third level body, the zila parishad, composed in part of district officers. It is further surprising to learn :

Nor do we consider that the district level officers on the panchayat samitis would be members of the parishad without the power to vote ; that would be the surest insurance for indifference. The time is long past when we could think of the officers' interest in rural development as something different from or contrary to that of the non-officials.<sup>29</sup>

There are many forms and relationships which may be utilised in the functioning of democracy. Levels may be arranged in innumerable ways, powers may be separated or combined in illimitable fashions—but in the full range of potential variations of democratic statecraft, this council of elected representatives and government officers would not appear. Government officers may often informally dominate public policy, and their advice may amount to guidance; but the distinction in status and in the legitimate sources of power of representatives and servants must be carefully preserved. In view of the functions assigned to the zila parishad, and of its authority to control the panchayat samitis, the purposes of democratic decentralisation at the village and block levels may be defeated at the parishad level.

It may be added, incidentally, that other features of the zila parishad are also confusing. Why members of parliament and the state legislature should be members of the parishad is not clear. As a device for coordinating the activities of the parishad and the centre, membership of MPs and MLAs will be disappointing. The levels are too far apart; and the MP may not possess the required knowledge of administrative affairs at the centre. Similarly, it is very difficult to see why no funds or staff were provided to the zila parishad. It is very well to suggest that this body will have no 'executive functions'. But the

<sup>28</sup>*Report*, Vol. I, p. 21.

<sup>29</sup>*Ibid.*, p. 20.

assigned tasks of the parishad are :

1. To examine and approve the budgets of the panchayat samitis.
2. To distribute the funds allotted for the district as a whole between the various panchayat samitis.
3. To coordinate and consolidate the panchayat samiti plans, annual as well as quinquennial.
4. To consolidate the demand for grants for special purposes by the samitis and forward to the government.
5. To supervise the activities of the panchayat samitis.
6. To perform certain disciplinary functions in regard to specified categories of the staff of the panchayat samiti.<sup>30</sup>

Item three or item five alone would necessitate a considerable establishment and budget. If, in fact, the work involved is to be done by the district staff, then there would have been no real devolution of power and responsibility; and the promise of local self-government will never be fulfilled.

There is yet a more comprehensive question concerning the proposed democratic decentralisation. When the entire scheme is seen with its collateral and secondary features, it becomes clear that this is not a proposal for local federation, with powers and spheres assigned to each unit or level of units. It is, instead, a unitary outline, with a chain of command and with cumulative responsibility at each higher level in the hierarchy.

The Team have made much of the distinction between delegation of power and decentralisation, explaining that delegation "does not divest the government of the ultimate responsibility for the actions of the authority to whom power is delegated."<sup>31</sup> It is strange, therefore, that the relevance of this definition is not, in the first instance, seen below the level of government; and in the second instance, it is ironic that decentralisation may have been lost even at the government level through official membership of the zila parishad. Within the three tiers, the panchayat samiti functions in the villages through its own officers; it may command the village to act as its agent; it may award or withhold grants for the villages; and, above all, the panchayat samiti has the power to review and approve village panchayat budgets. Thus villages are not, even within a prescribed sphere, self-determining authorities. Villages are given no charter of 'home rule'. But similarly the panchayat samiti is subject to the direction and superintendence of the zila parishad, however inadequate the provisions for the parishad to fill this role effectively. The approval of budgets, consolidation of plans, and

<sup>30</sup>*Report*, Vol. III, p. 169.

<sup>31</sup>*Report*, Vol. I, p. 7.

other activities of the parishad are the incidents of control, not of federated coordination. And, indeed, by assigning this function to the parishad without an appropriate constitution or establishment, the way may be prepared for continuing delegation, rather than the intended decentralisation.

## IV

In sum, then, a number of deficiencies of administrative design may be noted, in the main proposals of the Mehta Team. The definition of development work as embracing all of the functions of local government is open to question, particularly if that definition is to be used as a basis of organisation. The subsequent choice of the development block does not appear to have been based on empirical analysis and systematic evidence. The allocation of functions between the primary and intermediate units is ambiguous. The restriction of direct elections to the primary level only, is not well calculated to evoke popular interest or to secure democratic control over local governmental activities. The reservation of seats on the panchayat samitis for cooperative societies is unwarranted. To have the intermediate unit chaired initially by the sub-divisional officer would be an unnecessary and stultifying step. Constituting the highest body to include official members, with the district collector as chairman, is incompatible with democratic principle. Finally, the structure proposed does not in fact provide internally for decentralisation, but rather for a delegation of power.

The above criticism focuses narrowly on the organisation of institutions; and that is also the focus of the *Mehta Report*. But one may question whether that focus is adequate to the problem assigned to the Mehta Team. Their primary task, as has been noted, was to determine:

the extent to which the (community development) movement has succeeded in utilising local initiative and in creating institutions to ensure continuity in the process of improving economic and social conditions in rural areas.

The Team's first conclusion was that local initiative has not been called forth, and that popular interest has indeed been lacking. The question why this is so, the Team has answered by a criticism of existing institutions and by formulating a new administrative set-up:

With this background (the *Report* observes), we have to consider whether the time has not arrived to replace all these bodies by a single representative and *vigorous democratic institution* to take charge of all aspects of development work in the rural areas.<sup>32</sup>

<sup>32</sup>*Report*, Vol. I, p. 6. Italics by author of the article.

The search for vigorous democracy, however, is not exhausted by the search for an institution. For although misorganisation may stifle democratic vigour, even the best institutions cannot in themselves create it. The *Report* tries to achieve by manipulation of forms, what can be attained only through the development of ideas, ideals, and values. In short, what one misses in the *Mehta Report* is what should have been its first half : a re-examination of the basic ideas and assumptions underlying the ideal of local self-government, and an appraisal of the extent to which they are recognised, especially at the level where the community development programme operates.

Such re-examination is not a need of Indian democracy only. The institutions of every democratic society require constant debate of their underlying principles in order to remain democratically alive. Institutions of local self-government everywhere are in special need of re-examination today, as the services required by local communities become increasingly complicated. Where this crisis in local government has been met by purely administrative adjustment, administration has become less and less responsive to democratic principle and popular wish. The necessary alternative is a continuing appraisal of what the 'mastership of the public' means; of the extent to which the public is provided with opportunities for discussion, decision and control, and knows how to use them; and of the extent to which the spirit of democratic responsiveness is present in the administration.

The problem is thus universal. But the situation of Indian local government is unique. For although India has one of the oldest traditions of local self-government in the world, that tradition was interrupted for many generations; it is now being reconstituted all at once. In the nature of things, the basis of local government in India before independence could not be the principle of the 'mastership of the public'; but in free India that principle has become fundamental. Wherever local democracy has developed in the West, it has been at first restricted in scope, and has only slowly broadened to include all the public; but the principles of universal suffrage and equality before the law were adopted immediately for the Indian democracy. And, finally, the varied technical and welfare services, for which local governments in the West have had to assume responsibility only gradually, must be taken on all at once in India.

Each of these developments by itself would necessitate broad discussion and debate, if its implication for the individual citizen, representative, or administrator is to be understood. In these circumstances it is not to be wondered at if the Indian villager has not at once grasped what his role should be, and assumed it with enthusiasm. To achieve general understanding of all these developments will require the best efforts of India's political thinkers in the universities and in the political

parties, of her administrative experts, of her teachers, and her village workers.

The *Mehta Report* makes many significant contributions to the cause of local self-government in India. This study has confirmed afresh that the vital work of building the nation's development from the bottom is not proceeding as wanted; it has focused attention upon apparent inadequacies in the traditional units of local government for the new tasks of the welfare state; and it has put forward major proposals for a reorganisation of local administration. Within the context of administrative appraisal and redesign, these are valuable services indeed.

But after granting these contributions the credit they richly deserve, we may still regret that the Mehta Team did not tackle on a more fundamental plane the question it had been asked: *Why* is democratic vigour lacking? □

# Recent Experiments in Local Self-Government in India\*

M.P. Sharma

**L**OCAL SELF-GOVERNMENT in India, as developed during the British rule, had certain well-marked characteristics of its own. In the first place, it had a uniformity of structure and functions. Such variations as existed between the local bodies of the same class in the different provinces were neither many nor very important. Everywhere the local bodies consisted partly of nominated members and partly of members directly elected on a restricted franchise. The chairmen who were the executive heads were indirectly elected by the members and could usually be removed by them by a no-confidence motion. The functions were of the conditional kind, concerned mainly with health and sanitation, primary education, local works, and a few trading services in case of the urban bodies. Secondly, the local self-government system of India was, on the whole, non-hierarchical. Instead of the higher local bodies supervising and controlling the lower ones, the latter had direct relations with the government and its supervising officers. Thirdly, there was almost a complete separation of rural local areas and authorities from the urban, so that the latter were independent of the former, constitutionally, functionally as well as financially. This arrangement was not very favourable to the prosperity of the rural local bodies which found themselves deprived of the power of taxing the inhabitants of towns and cities which are centres of wealth and population and contribute, in most of the foreign countries, a good deal to the revenues of the rural local bodies; but it did away with the difficult problem of the struggle of the urban communities to get free from the jurisdiction of the rural local bodies of the surrounding area—a problem which exhibits itself in England in the shape of attempts of the boroughs to obtain the status of the county boroughs, in the USA in the so-called city-county consolidation movement, and in Germany in the attempts of the towns to get circle-free.

## II

The uniformity of the pattern of local government in India in

\*From *Indian Journal of Public Administration*, Vol. III, No. 2, 1957, pp. 104-11.

the past was largely due to the unitary form of government which the country had until 1937. Beginning with 1870, a series of the resolutions of the Government of India laid down, from time to time, the form and the pace of advance in local self-government. With the advent of provincial autonomy in 1937, it was natural that the various provincial governments should wish to develop local self-government institutions in their respective areas along their own lines and the process began almost immediately. During the year 1937-38 many of the provincial governments appointed local self-government enquiry committees to recommend measures of reform. An interruption came on account of the outbreak of World War II and the consequent constitutional deadlock, but when the country obtained independence in 1947 and adopted a federal form of government, the way for reform and change opened up once again and the broken threads of reorganisation of local government were resumed. During the last ten years local government structure in most of the states has been remodelled to varying extents. As a result of these developments, local government in the various states of India is no longer quite uniform. Some states have experimented along new lines and established local government systems different in their fundamentals from those of the other states.

Some of the changes which occurred were dictated by the new constitutional set-up of the country. Such were, for example, the adoption of universal suffrage, the abolition of the communal electorates, discontinuance of nominations, and the large-scale establishment of village panchayats. Naturally, these changes have occurred in all the states, though the pace of progress in respect of all the items (*e.g.*, abolition of nominations or establishment of panchayats) has not been uniform. Other changes, in the nature of new experiments, were confined only to a few states. We may mention, by way of example, the direct election of presidents by popular vote in Madhya Pradesh and UP. Two of the boldest and in some ways the most strikingly novel experiments have, however, been made in the sphere of rural local self-government in Madhya Pradesh and Orissa. These deserve special notice as illustrating the newer trends in the Indian local self-government.

The Madhya Pradesh Scheme, initiated by the MP Local Government Act 1948, is popularly known as the Janapada Scheme. Under it, the whole of the state (pre-reorganisation) is divided into local areas called Janapadas. In practice, the Janapada boundaries coincide with those of the tahsils, and there were 96 Janapadas in Madhya Pradesh as it stood before reorganisation. The characteristic features of the scheme may briefly be noticed here.

In the first place, the Janapada, like the English county, is a mixed area, urban and rural. All the municipalities and notified areas situated within a tahsil are integral parts of the Janapada of that tahsil.

These lesser areas, within the Janapadas, function autonomously in respect of the powers conferred on them by their several constituting Acts, but, otherwise, they are parts of the Janapada constitutionally, financially, and administratively as are the English boroughs of the county. The relationship between them and the Janapada might be brought out under five points, namely : (i) the lesser areas are represented on the Janapada sabha (council) by members elected by the municipal and notified area committees of the tahsil, not exceeding 1/6th of the total membership of the sabha ; (ii) municipalities and notified area committees within a Janapada may be called upon by the government to make specified contributions to the Janapada fund ; (iii) the sabha has general power of inspection, supervision, and control over the municipal and town area committees and a right of complaint to the government in case of default in respect of water-supply, health, epidemic prevention, medical relief, and maintenance of roads ; (iv) in respect of duties transferred to the sabha by the government under section 52 of the Act the sabha exercise sole authority over the whole Janapada including the municipal and notified areas, but excluding the city corporations of which, until the reorganisation of the states, there were two—Jabalpur and Nagpur ; and (v) the village panchayat areas are integral parts of the Janapada area, and the Janapada sabha can reverse or alter the resolutions of the panchayats by a two-third majority vote.

A second important feature of the Janapada scheme is that, except in matters reserved for the sabha or the standing committees by the Act or rules, the executive authority of the Janapada is vested in a chief executive officer who is government officer, generally of the rank of an extra assistant commissioner. Some of the Janapadas, called minor, however, do not have a chief executive officer resident at their headquarters but are placed under the chief executive officer of a neighbouring major Janapada. In their case, the day-to-day work is looked after by a deputy chief executive officer who is the tahsildar of the area, while more important matters are referred to the chief executive officer of the major Janapada, for decision. The chief executive officer is paid by the government and besides his duties in connection with Janapada work, does also revenue and magisterial work. In matters of appointment, posting, leave, transfer, discipline, etc., he is under the control, not of the Janapada, but of the government. Like the French Prefect, the chief executive officer represents the official and independent type of local executive. He has a long list of statutory powers including the power of appointment of the staff with a salary not exceeding Rs. 50 per month. By the amending Act of 1953, however, the appointing power was taken which was also empowered to demand his removal (*i.e.*, transfer) from the place by



a 2/3rd majority. The underlying idea of this type of executive was to provide for the Janapada administration an experienced administrator of sufficient calibre and also to facilitate the unification of the district and local administration which is one of the central objects of the scheme.

Thirdly, the Janapada scheme contemplated the transfer of practically all the functions of the state administration, except police and justice, to the Janapada authorities. In respect of the functions thus transferred, the Janapada authorities would act as the agents of the state government and obey such directions and orders as might be issued by the latter. The state government would also transfer the personnel engaged in such functions and make the necessary financial provision. This is probably the most revolutionary feature of the Janapada scheme and, if implemented, would result in the association of the elected representatives of the people with practically the whole of the district administration. The idea of associating a popular council with district administration so as to mitigate its bureaucratic character dates back to the days of Sri G. K. Gokhale who first mooted it out. To begin with, the Janapada authorities would act in respect of the transferred functions, as agents of the state government, but in fullness of time when they gained sufficient experience, these functions would perhaps vest in them in their own right. It will not be an exaggeration to say that section 52 which contemplated the entrustment of the most of the functions of state government to the Janapadas was the *heart* of the Janapada scheme. Without it, the abandonment of the larger area of the district as the unit of rural local self-government and the substitution for it of a smaller area with scantier financial resources would not be justified at all.

Lastly, the Janapada scheme is intended to be a measure of large-scale decentralisation, financial as well as territorial. The functional aspect of it has already been explained. Territorially or geographically, the scheme has brought the centre of rural self-government administration nearer to the people, from the district to the tahsil headquarters. Incidentally, it also aims at putting an end to the double establishments in education, public health, public works, etc., hitherto maintained—one by the state government, and the other by local bodies—and thus effect economy.

### III

Another experiment in local self-government on more or less similar lines has been attempted in Orissa through the Anchal Sasan Bill of 1953. Under the Anchal Sasan scheme, the entire state is to be divided into 118 Anchals each of which will generally include the areas

of 10 contiguous village panchayats and coincide with a national extension block. Municipalities and notified areas will form integral parts of the Anchal within which they are situated, but the five larger municipalities of Cuttack, Puri, Berhampur, Balasore and Sambalpur are excluded and given an independent status. The Anchal Sabha will be indirectly elected by the members of the village panchayats, municipalities and notified areas each of which will be a separate constituency for the purpose. The chairman and vice-chairman of the Sabha are to be elected by the members from among themselves. There are to be standing committees for education, public health, agriculture and development, and also an executive committee with jurisdiction over finance, budget, and some other important matters. The decisions of the sabha and the committees are to be carried out by an Anchal executive officer drawn from the administrative services of the state government. He will have as his assistants in Anchal administration, an engineer, a health officer, an agricultural officer, and an education officer. The advice and assistance of the officers of the various technical departments of the state government at the district level will also be available for the Anchal authorities. The functions of the Anchal Sabha will include education (primary and middle but not high school), medical relief, public health, veterinary service, agriculture, village forests, irrigation, roads, and collection of land revenue and the cases unless the village panchayats are able to take up this collection for a commission of 10 per cent. The Anchal and the panchayats will also be given control over the communal lands, leasing out of waste lands, and prevention of encroachments. The entire land revenue and the cesses will, in due course, be transferred to the Anchal Sasan to meet the case of the services under it.

The similarities between the Anchal Sasan and Janapada scheme are too obvious to need comment. The points of difference, however, deserve to be noted. In the first place, elections to the Anchal Sabha are to be indirectly the members of the lesser local bodies include in it, and not direct as in Janapada sabhas. Secondly, the area of the Anchal is smaller than the tahsil which is the basis of Janapada organisation. Thirdly, an attempt has been made to integrate the Anchal area with the new developmental areas which have now emerged, while the Janapada area is unrelated to the newer areas of developmental administration. Fourthly, the functions of the Anchal sabha, while going beyond the traditional local government functions, do not contemplate wholesale transfer to these bodies, of the subjects of state administration as the Janapada scheme does. Lastly, the financial provision for the Anchal Sasan is more definite and clear-cut than for the Janapada Scheme.

## IV

The idea of making intermediate level rural local bodies indirectly elected is spreading and gaining adherents in more than one state. It is a feature, as we have noted, of the Orissa Anchal Sasan scheme, but its feasibility as a basis for the constitution of bigger rural local bodies such as the district boards has been under examination in West Bengal, Bihar and UP also. In all the three states, elections to the district boards have not taken place for the last 10 to 12 years. Direct election of these bodies on the basis of adult suffrage would be a tremendous thing—a repetition, more or less, of the national and state elections. The state governments appear to shrink from the huge effort and cost involved. More than that, there is the problem of the electoral funds for the candidates and the political parties. Can these funds be raised without compromising the requirements of 'purity'? Indirect elections reduce the size of the electorate, and hence of the funds and efforts needed. Mahatma Gandhi favoured indirect elections, perhaps among others, for these reasons. The prime minister also has in some of his recent utterances, seemed to favour the idea. The tendency to substitute a smaller area for the district as the unit of rural local government is also strong, at least in some of the states.

## V

An evaluation of these experiments and tendencies in the Indian local self-government has largely to be of a theoretical nature at present because sufficient experience of their actual working is not yet available. The direct election of municipal presidents, in the UP municipalities has not produced encouraging results. In some of the cities, the president has belonged to one political party or group and the majority of members to another so that their relations have been strained and full of friction. There is already a proposal in that state to go back to indirect election of the presidents as before. The Janapada scheme of Madhya Pradesh has never been fully implemented. The devolution of the functions of the state administration which we have called 'the heart' of the scheme has not come about, nor the anticipated transfer of additional personnel and financial resources. The net result of the change has, therefore, been that in place of 22 and odd district councils which the state had before, now there are 96 Janapada sabhas. A large number of smaller local areas and authorities inevitably results in the increase of the overhead costs. Since additional resources to meet this cost have not been forthcoming, the Janapada sabhas lack well-qualified technical and other personnel. They have neither engineers, nor health officers, nor secretaries of their own. The EACs or chief executive officers too have been

doubtful acquisitions. They have to divide their time and attention between their revenue and magisterial duties on the one hand, and local government work on the other. Many of them have shown a preference for the former to the comparative neglect of the latter. This is because of the greater prestige attaching to the revenue and magisterial work and also because the whole previous training and experience of these officers has been in that line. Cases of friction between the CEO and the Janapada sabha too have not been lacking. As things stand at present, there is little prospect of the Janapada scheme being implemented in its original form. In the reorganised Madhya Pradesh, it is now found only in 14 districts of the Mahakoshal and Chhatisgarh tracts. Madhya Bharat, Bhopal and Vindhya Pradesh areas have their different systems of rural local areas and authorities. Integration of the local government over the entire state is bound to take place, and it is difficult to say which of the several existing systems will survive. It will not be surprising if an account of the difficulties noted above, the Janapada scheme may have to be abandoned or modified.

The Anchal Sasan scheme of Orissa has yet to be tried. It is more moderately conceived than the Janapada scheme and may fare better if the contemplated transfer of land revenue and cesses to the Anchals takes place and the chief executive officers have their whole-time work with the Anchal. Indirect elections may reduce election expenditure by restricting the size of electorate, but a small electorate tempts the wealthier candidates to make a bid for the purchase of votes. Thus what is gained in terms of 'purity' on one side, may be more than lost on the other.

The areas of rural local government, all over the world have shown, in recent years, a tendency towards constant widening. Financial and technical considerations have been responsible for this. Experience has shown that financially and technically only large-sized rural units of local government can prove adequate to support the burden of the modern local services such as education, health, communications, water-supply, etc. If we seek to reverse the hands of the clock in India, as has been attempted in some of the states, there must be special reasons and circumstances to justify it. If the functions of the local bodies are extended beyond the traditional limits as in the Janapada scheme, smaller areas might be, functionally and financially, feasible; but the question would still remain whether the transferred functions—collection of revenue, agriculture, cooperation, irrigation, developmental work, etc., would be better looked after by the local authorities than by the regional or local agencies of the state government. So far there is little in our experience to show that they would. Collection of land revenue was entrusted to some of the village panchayats in Uttar Pradesh, but the experiment had to be abandoned as unsatisfactory and the state govern-

ment had to revert to its own agency for the purpose.

All this is not saying that new experiments in our system of local self-government should not be made or that the system which has come down from the past is perfect, but the little experience that is available of the working of the experiments hitherto made certainly points to the need of a more cautious approach to the problem of local government reform. Any scheme of experiment or reform must be preceded by a thorough and objective investigation and discussion of the issues involved. The experience of other countries, and of the working of our own institutions hitherto, must be considered. The limitations of the human and financial resources available must be taken into account. Thus alone, workable plans of reform can be formulated. □

# Improving City Government\*

P.R. Nayak

CITIES TODAY are becoming increasingly the nerve centres of national life and economy. They not only contain congregations of human population, large and small, but also secure for the urban communities advantages of scale and specialisation in the provision of municipal services. In another sense, too, they exhibit certain common features. Congestion is acute; and ill-planned or unplanned physical sprawl abounds. Services and amenities remain chronically short of basic requirements. Industry grows in promiscuous fashion. And, above all, the steady influx of population with varying social or environmental backgrounds accentuates the heterogenous character of the community.

In such a situation, the civic aims of city government must necessarily be to correct the deficiencies of modern life in concentrated communities and equip them better for promoting the country's political and economic advancement. Its tools have to be those several things that make life comfortable and full of meaning—adequate housing, a potable supply of water, safeguarding of public health, relief of sickness, education, facilities for mental and physical recreation, and development of a sense of oneness with and pride in the community. These are, of course, everywhere important, be it a city or a village. But, in the rural areas, the bountiful background of nature undefiled mitigates, substantially, several hardships and deficiencies. The stress and strain of city life, on the other hand, give a special significance to the satisfaction of man's basic needs; and to a certain extent, urban living also modifies their quality. Thus, the preservation of health becomes much more than an individual's care or way of life. A house often possesses less than the desired degree of privacy or individuality. Social intercourse and recreation call forth special powers of adaptability. To succeed well in its objectives, civic government must, therefore, possess judgement and technique of a most unusual character. It is an essay as much in the art of governance as in the practice of psychology.

The participation of the people in civic administration and their responsiveness to its calls are vital for the success of any city government today. These characteristics are synonymous with what is

\*From *Indian Journal of Public Administration*, Vol. IV, No. 1, 1958, pp. 31-7.

commonly called 'civic conscience'. It connotes awareness and understanding of one's rights and obligations as a member of a large community and it must evoke appropriate action in the individual. A code of conduct is evolved that reflects the inter-dependence of the citizens in a thickly populated urban community, where every fall from desired standards will detract from the health and well-being of a neighbour. One of the big problems and a primary concern of city government must, therefore, be the creation of conditions favourable to the growth of 'civic conscience'. This can be met not merely through the development of the physical interest scene so as to impart a sense of satisfaction and living to the individual citizen but also by resort to various media for enlisting public interest in and support for programmes of immediate and prospective improvement. This need is all the more urgent in our Indian cities which, during the last decade or two, have grown phenomenally in size and complexity. It is becoming clearer every day that a comprehensive programme of community welfare and social education must be launched, particularly in the more depressed areas of the cities. The ingredients of such a programme must include, amongst other things, youth organisation and welfare, community recreation, child and women's welfare activities, literacy and education for health, citizenship and social participation. The appeal here is to the mind, and the effort is to enrich or stimulate the emotional content of life in the somewhat soulless atmosphere of a modern city.

With these considerations in mind, we may now look at the structure of our city government, its failure and success and the measures that can make for progress. A city council or corporation is the normal organ of civic administration. It is now invariably elected by adult franchise and can thus be said to be a truly representative body. We may assume, therefore, that it is suited to appraise popular needs correctly and promote their fulfilment. That city governments have failed so often to give satisfaction is a matter that requires earnest consideration. Failure undeniably there is. The slums in our cities continue to grow; disparities in services and amenities persist; and the great majority of the people have not the prerequisites for a decent way of life. In referring to these shortcomings, it is not the intention to minimise achievements. We have made substantial advances in public health measures; and epidemics are becoming less and less ravaging. In part, we have created much that is beautiful and beneficial. Gardens and roads, schools and playgrounds, hospitals and dispensaries, systems of public transport and other-utilities—these can compare with the best anywhere. But they serve only a fraction of the population and the leeway to be made up is truly great.

## II

The reasons for the present situation are partly organisational. The importance of unification in civic government is not always recognised—not even in the more advanced countries of the West. A multiplicity of agencies has produced varying degrees of development in a tract that is geographically and economically compact. Besides, it has rendered difficult, if not impossible, a comprehensive view of the basic developmental needs of a city. The determination of these needs is a dynamic process; the scene constantly shifts and changes, and each programme of development may necessitate the adaptation or modification of pre-conceived plans. Apart from the planning process, we find many different agencies, such as city councils and improvement trusts, operating in the field of execution, too. In a sense, the broad homogeneity that a city must possess is found absent in the civic government itself. Lack of coordination or integration can lead to duplication and does frequently lead to incomplete development. For example, a large housing estate may for long remain unprovided with schools, dispensaries, playgrounds or water supply. These defaults are generally the result of compartmental working. Such uncoordinated activity obviously creates a host of problems and causes wide dissatisfaction among the citizens.

This is one aspect of the failure to take a long-term view of the problems of city government. Another is the absence or halting nature of measures to control the growth of cities. Sociologists have talked of the need for purposive action in the matter. There is, of course, no question of preventing the inflow of population. But some of the causes that lead to such inflow can be controlled. People migrate to cities because of the better employment opportunities there, following in part the increasing congregation of industry. But industries, while they bring employment, have also been responsible, in the main, for the slums in our cities over the past decades; and they accentuate all the problems of present day urban life. The claims of industry for urban services often become preemptory in character and can upset the precarious balance between demand and supply to the detriment of the community. A careful regulation of further industrialisation in large urban centres is important. But this is often not clearly recognised and we, therefore, witness instance of deliberate location of large industrial units in areas already oversaturated.

Paucity of resources for serving the needs of a rapidly growing community is probably the most important single factor operating to the detriment of civic government. The sources of income allocated are inadequate; sometimes even these are encroached upon by the higher organs of government; and more frequently, the sources are not fully tapped. The aims and problems of local bodies have come to be regard-



ed as less pressing politically and as inferior to those of state and national governments. Such a view can no longer be considered tenable, for the foundations of national progress must be laid in and around every citizen's home. It is true that the shortage of resources affects us at various other levels also and that there is no magic wand that can dispel this difficulty. But even so, there is scope, and pressing need, for enlarging local finances.

That this not happened to any significant extent seems to be due to a weakness in the functioning of urban self-government and the relative meagreness of beneficent results achieved. The weakness is partly organisational in origin—an aspect which is examined further below—and partly political. In its later aspect, it has operated to inhibit city governments from exploiting available sources of income to the maximum possible extent. Politically, that is from the point of view of canvassing for and getting the vote, higher taxes are thought to be a hazardous venture, and one frequently encounters assertion that a city government will be turned into a better instrument of service without further taxation. Here is a vicious circle. You cannot render better service unless your resources are augmented; and unless some visible results appear, the citizen is reluctant to pay more. The concept of taxation before service is, of course, generally understood; but the total pool is so deficient that large groups of tax-payers remain neglected for so long that they come to question the justice and validity of local taxation. A break-through from this situation can come only if maximum possible mobilisation of local resources takes place, and the utilisation of the pool is made with fine judgement, that is, on the principle that certain things must have priority—not of a mutually exclusive character but for the purpose of an intelligent allocation of resources.

The problem of mobilisation of local resources had a dual aspect; a determination of the levels of necessary taxation and a machinery that will secure the proper assessment and collection of taxes. The former is a political decision, but it must proceed on the basis that the services rendered must be paid for, in one form or another. Though here varying capacities may be recognised, the idea of something for nothing must be discounted; as it has been, for example, in state and national taxation. The humblest of us makes a contribution to the exchequer as a tax on the cloth he wears or the kerosene that lights his house. Why is a different note struck so often in the sphere of civic government?

The machinery for the assessment and collection of taxes must be free of political influence, though its task is to implement the political decision. That it has not always been so is one of the reasons for the failure to tap resources to the fullest extent. Unless this is done, it will be impossible to focus attention on the undoubted financial inability of local bodies to plan and execute adequate programmes of services and

amenities. If the hesitancy over taxation can be overcome and if our machinery can be geared to efficiency and objectivity, unresolved deficiencies in the urban scene would become intolerable to the extent that government cannot any longer overlook the need for augmenting local resources.

### III

Save in certain restricted spheres, such as taxation, a city government does not have to operate at the political level of policy-making. In this respect, it differs fundamentally from state and national governments. The policies are broadly laid down by the statutes themselves. The decisions that city governments are called upon to take are essentially of an administrative character, as anyone can see from the agenda of council meetings. Annual budget-making, apart from taxation, is an activity that may and does often call for political decision as regards priorities. But inadequate resources, on the one hand, and fixed, unalterable charges thereon, on the other, have introduced such an element of rigidity as to restrict greatly the scope for the exercise of judgement and decision. In essentially administrative activity, political decision has no real place. Indeed, there can be little genuine controversy over the programme of civic advancement. When, therefore, politics intrudes excessively into civics, the result is unfortunate. Speed of action becomes the first casualty. Discord arises over trivialities and the town hall becomes a forum for irrelevant political battles. The deficiencies in action are attributed to the failure of a party—a good point, no doubt, to dangle before the voter—rather than to the many weaknesses of city government. A process which must be one of education is distorted into a campaign that misleads and blurs true objectives. The services, too, are left more exposed and more vulnerable than their kind in other fields to the stresses of party rivalry; for they have to work so much in the open and so closely with the people's representatives.

It is true, by and large, that those city governments have succeeded best which have eschewed politics to the maximum extent. Its minimisation must be reflected not only in the debates on the floor of the city body, or in the election campaigns, but also in the manning of administrative agencies from amongst the elected. The choice for offices of honour or responsibility and the membership of committees, to name only two examples, must cut across party alignments and must endeavour to place the right man in the position suited to his merit, and to give adequate representation to different points of view. Civic government can function best through the committees, away from the glare of publicity attending council or corporation meetings—publicity that often tends to carry one away into irrelevancies. The committee system of

working, so invaluable for calm discussion and quick decision, has not developed sufficiently in our country. Its growth requires the establishment or acceptance of certain conventions about the scope and method of working of committees and, more particularly, about their representative character.

Apart from the statutory provisions, which are becoming more common now, healthy conventions that guard the integrity of the services and define their field of operation are also essential. Their absence is responsible for some of the failures of civic government. If responsibility is curbed, if initiative is retarded and if a measure of dignity is denied, frustration ensues and the quality of work suffers. These factors have operated on a wide scale in many of our cities; and their consequences have been aggravated by aberrations in administrative functioning on group or party lines. That is why we seem to be turning increasingly to a form of organisation in which the execution of defined or prescribed policies is made much less a matter of council voting.

The council remains the agency for administrative decisions of a superior character; it acts as the watch-dog of prescribed policies and programmes; and it checks deviations in action by the services. But beyond that, the day-to-day discharge of administrative duties is left to the executive wing of city government. Theoretical objections to a dilution of the authority of representative bodies may be urged. But the results achieved in many cities, the West included, do not suggest that representative government suffers from a proper definition of the scope of different organs. Government is a continual experiment in the art of promoting the well-being of people; and there are no rigid forms of democratic functioning. The time and the place have a powerful determining force. In our cities, the time for action is fast running out and the place gives cause for increasing dissatisfaction. Our policies and administrative forms must be such as to catch up with the situation.

#### IV

From the political and sociological points of view, the two problems in this situation that cause the greatest concern are slums and the acute shortage of housing and of developed, buildable sites. The two are interlinked, because, on the one hand, the clearance of slums, with their tremendous overcrowding, immediately raises the question of rehousing the 'over-spills' of population. On the other, the shortage referred to leads to the growth of slum-like colonies as crop up everywhere in urban areas. A local authority's main endeavour should therefore, be to secure and promote the orderly development or redevelopment of the physical scene.

Our attack on this problem has, however, hitherto been weak

and halting. Moreover, in some recent developments in this direction, the fundamentals of orderly and decent growth are found to be lacking. The planning of growth must include not merely the opening up of virgin areas but also the provision therein of services and amenities of a prescribed standard. Otherwise, we shall always remain preoccupied with making up the deficiencies and can never go forward to the broadening of the scope and purpose of local government.

Local authorities are today mainly engaged in remedying the basic defects that exist—this is, of course, important—in the older parts of their areas and have ignored the haphazard and sub-standard growth that has taken place in the wake of population rise. Here are the seeds of a perpetual chain reaction. But if the amelioration of backward conditions is made dependent substantially on the opening up of new areas for decent habitation, the struggle for improvement—for better houses, the relief of congestion, the provision of greater recreational facilities, better and more schools and playgrounds—will be won the sooner. But the houses we build, and the lay-outs in which they are placed, must not become the slums of the near future. Because notions about adequate housing standards change so rapidly in a developing economic situation, it is better, in this matter, to err slightly on the side of liberality. The restraint which paucity of resources imposes can be met by various devices, not the least of which is to build our houses to last, not for 60 or 80 years, but for a more modest duration. □

# Local Elections and Politics\*

C.B. Rao

The persons I pity  
who know not the city

—W. J. PROWSE  
(*The City of Prague*)

The axis of the earth sticks out visibly through the centre of  
each and every town or city.

—OLIVER WENDELL HOLMES  
(*The Autocrat of the Breakfast Table*)

WHAT DO we mean by the word 'politics' when we use it in connexion with civic affairs in general and municipal elections in particular? What do we mean by it in connexion with national affairs for that matter? It is hardly necessary to say that in neither context do we ordinarily use that word in any other sense but that of 'party' or 'group' ambitions, plans and programmes. It has indeed come to acquire something of a pejorative sense, a disagreeable odour, and one is not surprised in the least when one finds that those who are looked upon as the most skilful players are often the very people who disclaim all interest in the political game.

So far as local elections are concerned there are really very few who do not say that they should be kept clear of party politics. What, they ask in holy horror, have municipal elections to do with politics? What the citizens want is a clean and healthy city to live in, well-maintained roads to travel by, well-kept gardens to stroll in, well-run-dispensaries, well-conducted primary schools and so on and so forth. What does it matter to what political party your mayor or your ward representative belongs so long as he is doing his civic job well? There is obviously no flaw in this reasoning, nor does anyone bother about finding one. Everyone agrees with everyone else, none has any use for politics in municipal affairs—and none does anything about it.

\*From *Indian Journal of Public Administration*, Vol. XIV, No. 3, 1968, pp. 533-7.

Politics continues to dominate municipal affairs and seems certain to go on dominating them for as long as municipal institutions exist.

It is indeed pointless and futile, all this discussion about the desirability or otherwise of politics entering into municipal matters. If group interests must clash, as they cannot but, in the process of running civic affairs, some sort of *politics* must needs enter into the picture. Elections, to mention but one of the many obvious spheres of group contest, cannot be fought without some kind of organisation wherein labour and responsibility are shared. The incentive for the sharing of the labour and responsibility is provided by the prospect of sharing in the glory of eventual success and the profits accruing therefrom. Thus it is inherent in the system itself that candidates, their supporters and their opponents should organise themselves into groups or cliques, and this is the right soil and climate for the growth of what we know as 'party politics'.

If people who want to take an active interest in municipal affairs must organise themselves into groups in order to be effective and to achieve something, they must have some common interest, ideology or purpose which should bring, and having brought, keep them together. In civic affairs there are several matters which can bring persons together, and these matters are usually matters of common interest connected with the city. Thus, people living in the same part of the city, whatever their other differences, would tend to react alike to something that affects them similarly. But there may be other matters, matters which affect some and do not mean a thing to others, matters which appear to some to hold a bright promise of further prosperity while some others may be frightened at the thought of what dire consequences might follow if these were not checked in time. When these matters come up something other than common neighbourly interests are needed to bring people together. Over a long period of time, during which all manners of questions come up for consideration, one is bound to feel the necessity of some sort of standing arrangement with others whereby each may bank on the support of everyone else, no matter what the point at issue. For without such an arrangement everyone would be an entity in himself, anchorless and without an ally. On every single question that might come up for consideration one would be under the necessity of finding supporters *ab initio*. The precariousness of such a situation can easily be appreciated. One learns early enough the necessity of having a permanent, reliable alliance. The question, therefore, has to be faced: What should be the basis of such a permanent alliance?

The answer to the unavoidable question is a ready-made one. Since outside the municipal forum there already exist well-knit organisations which are used to functioning as a body, the natural tendency

is to imitate them or, better still, to draw them into municipal affairs. The advantages are obvious. Political parties are relatively powerful groups and it is clearly better to be a member of a powerful group than to stand alone. Moreover, as bitter experience has shown to many who did not realise it earlier, non-political *ad hoc* associations are incapable of maintaining their integrity over a period of time. A certain measure of discipline is necessary if a group is to function unitedly and effectively, and this kind of discipline cannot be wholly imposed upon members by authority. Some of it must be voluntarily accepted. And the incentive for voluntarily accepting curbs on one's freedom can only be supplied by one's confidence in the worthwhileness of such voluntary acceptance of these curbs. If one subordinates one's wishes to the dictates of a larger group one expects that the larger group will stand by one when the need arises. This kind of confidence can only be created among members of a large group which expects to and does in fact share experiences and act in unison over a longish period of time and in diverse spheres and directions. That is where well-established political parties have a distant advantage over sundry, *ad hoc* combinations which arise and fall every now and then. Moreover, since men must needs combine not only to fight but also to plan for the future, it is probably better that they combine on the basis of political beliefs than on any other basis. For, the obvious non-political basis for such combinations would be caste or religion, and therefore political combinations are infinitely healthier.

Politics today casts its shadow well-nigh on every sphere of individual as well social life, and as the concept of the welfare state grows and more and more of what we think and do becomes the concern of the state, politics must wield influence over our lives still further. It is, I am convinced, as inevitable as it is desirable today that municipal elections should be fought on the basis of (party) political alignments. I say it is desirable because if alignments on this basis were to be ruled out, other kinds of alignments are certain to take their place, and I am sure they will be infinitely worse. There will, of course, always be 'independents' in the field—I was one myself—but these 'independents' will immediately be drawn into one or another of the 'political' camps once they are in. The difference between them and the regular, full-fledged members of the camp into which they get drawn will be that whereas the regular members may be described as persons fully and 'generally' committed to toe the party line, these 'independents' will be committed only 'particularly', on specific issues. The group or party leader may rely on the regular members of his team always to speak and vote as desired, but he will have to woo and win over his 'independent' associates each time afresh. In actual practice it is not as bad as all

that. Generally the 'independent' members of the camp prove almost as docile and dependable as the regulars, but a watchful party leader knows better than to take them for granted.

In the choice of candidates political parties take all manner of things into consideration. Ordinarily the candidate chosen is considered to be the one likeliest to win, among all those under consideration. But it is not very rare to find a political party selecting a candidate whom none expects to win, not excluding themselves. That is because in the eyes of party bosses it is sometimes more important that the recipient of the 'party ticket' should be acceptable to the party than that he should prove a good candidate. Such cases are not quite as rare as one might think they would be. Ordinarily, too, political parties give their 'tickets' to regular and tried members of the party, though fairly frequently the candidate chosen is one who is relatively a new recruit to their ranks. Such choices usually mean but one thing: the person chosen is expected not only to win the municipal election but afterwards to become an active and valuable asset to the party—either as a donor of funds or as an active worker and organiser. No political party, as far as I have been able to find out, finances the election of any of its municipal candidates. Therefore, the ability to pay for his or her own election campaign is an important consideration in the matter of choice of candidates.

An unfortunate feature of selection of municipal candidates by political parties is that they tend to pick their men with an eye on the caste to which they belong. Whatever party leaders may say in public the ugly truth is that casteism is fed, fanned and encouraged by political parties because of their giving so much weight to caste in selecting candidates. I do not suggest that caste is the most important consideration. That it neither is nor can be. But that it is all the same an important consideration is, I am sure, a fact which none can honestly deny. However, even in this respect, I think, it is better that elections be fought on party lines because otherwise caste might become basis of group formations.

As already stated, the biggest advantage in fighting an election which a party candidate has over his unattached opponents is that he has a whole band of workers ready to use whereas the unattached independent is usually his own most active worker. Also, party candidates can usually bank upon some solid party votes while independents have to earn each vote they get. The thing cuts both ways, for party candidates must needs forfeit some votes which they might have gained as individuals. For, just as there are men who will vote for a party, no matter who the candidate, so also there are those who will definitely cast their votes against a particular party's candidate, no matter how suitable they may privately consider him to be.



In dependents who fight their elections unaided are also unhampered.

The biggest drawback from which political parties suffer is that they can seldom put up two likely sinners in one constituency. Double-member constituencies, as we have in Uttar Pradesh municipal corporation elections, operate to the disadvantage of political parties, principally because candidates usually find it too difficult to resist the temptation of canvassing exclusively for themselves rather than for their running mates as well. During the last corporation elections in Allahabad, for instance, out of twenty-seven double-member wards there were only two from which *two* candidates belonging to the same party were elected.

Of actual politics there is, of course, little scope in local elections. Local bodies do not discuss political subjects, *ergo* true politics fall outside their legitimate province. But during municipal elections, due to the clash of opposing political parties, fairly free exchange of thought takes place. The advantage of such free exchanges is that municipal elections serve the purpose of showing us which way the wind of public opinion is blowing. Municipal elections are not always or necessarily reliable guides in this respect, but they are not by any means entirely without value. No political party really brightens or tarnishes its public image by the behaviour or performance of its representatives in a municipal body, because no political party as such comes into power in a municipal body in the sense in which it does at the state or national level. Still, and despite the fact that the power of elected members of a local body to do good or ill is severely circumscribed, it is an undeniable advantage for a political party at the time of the general elections to be safely entrenched in a municipal corporation. □

# The Representative's Role in Indian Municipal Politics\*

Morton R. Davies

**D**URING A short visit to the University of Lucknow from January to March 1974, the present writer had a limited opportunity to read about and observe the political and public administrative processes of municipalities of the North Indian state of Uttar Pradesh. What emerged was a heightened awareness of the similarities and differences between those processes and their counterpart in his native Britain. In both countries, the appeals of the politicians for electoral support are couched in the language of liberal democracy; whilst politics itself tends to remain an elite activity, in which a disproportionate number of primary actors are drawn from the economically and educationally more privileged sections of society. Many of the political offices—mayor, alderman, councillor—are known by the same name, formally designate the same function, and are clearly the outcome of the historical links between India and Britain. Yet despite these factors, and the views of many Indian observers that their institutions of municipal government follow closely the British model, a number of important differences have emerged, which indicate that the environments of the two systems have affected the ways in which they operate and that the Indian system has incorporated practices and institutions derived from political and intellectual traditions other than the British. The most striking example of the latter is provided by the office of the commissioner, which has no parallel in Britain but closely follows the French prefectural system.

The environment of politics in India, too, has modified the way in which the system works. The formal structure of the institutions in the two countries are broadly similar, councils acting through a series of committees to discharge functions statutorily imposed by the state or central government. The way in which the councils operate, however, is greatly affected by the nature of the political elites, their relationships to each other and their supporters and the infrastructure of party organisations backing them. In Britain political alliances tend to be fairly stable or they do not exist at all. Vertical alliances between leaders and voters tend to be extremely stable with a large proportion of the

\*From *Indian Journal of Public Administration*, Vol. XXI, No. 1, 1975, pp. 74-84.

electorate constantly remaining committed to its party. Consequently electoral alliances between the parties are relatively few and there is a fairly well defined appeal to the electors made by each party.

The Indian scene though is very different. Paul Brass<sup>1</sup> has written that "the merging and mixing of regions and peoples in Uttar Pradesh combines with a lack of communication throughout the state among members of ethnic groups to produce a relatively complex politics without clear patterns. The factional character of internal Congress politics in the state also tends to produce patternless politics." One of the striking features of Indian politics is the instability of political alliances at almost all levels of the political system. As Anthony Carter<sup>2</sup> observes: "If alliances are examined in terms of the relations between leaders and followers in their roles as members of castes, as patrons, clients, landlords, or tenants there often seems to be considerable stability. However, when one focuses on the political elite their political choices often seem unrelated to their roles as party members, patrons or landlords, or to their positions in the caste and kinship systems, and one finds that alliances among the elite frequently are very unstable." This merely confirms the findings of Myron Weiner's<sup>3</sup> study of the development of the multiparty system in India during the years immediately after independence. The instability of alliances in UP has been attributed to three general conditions: the absence of external threat; a high degree of internal consensus upon ideological issues; and the absence of authoritative leaders<sup>4</sup> and a more particular explanation based on the dominance of the ruling Congress Party in UP. Congress is the only viable party capable of providing government within the state. Consequently, almost all important interests in the community have some kind of links with the Congress Party, thus providing an environment for the politicians in which there is a multiplicity of sources of patronage. This in turn allows the politicians to make, unmake and remake the alliances through which faction leaders hope to improve their status, power and standing within the party. Both Brass and Weiner explain the factional politics of UP in terms of the individual status aspirations and irrational personal antagonisms amongst the politicians.

These factors inevitably have an effect on the operation of political systems. Political scientists in recent years have continually stressed the interrelationship between a system and its environment, but by its very nature it is impossible to postulate precise methods to explore that relationship. This article is an attempt, using municipal politics in UP

<sup>1</sup>Paul Brass, *Factional Politics in an Indian State*, University of California Press, 1965.

<sup>2</sup>Anthony Carter, *Elite Politics in Rural India*, CUP, 1974.

<sup>3</sup>Myron Weiner, *Party Politics in India*, Princeton UP, 1957.

<sup>4</sup>Brass, *op. cit.*, p. 232.

as one's example to indicate how the system and its environment have interacted to influence the performance of specific roles within that system. It will adopt two approaches.

The first will describe the basic legal framework for municipal politics in Uttar Pradesh. Under the laws of UP the large towns of the state have municipal corporations which are supposed to provide local self-government within their areas. The corporations are entrusted with a wide range of responsibilities which *in toto* are of vital concern to the citizenry, but as with most other systems of local government throughout the world the degree of self-government which these corporations provide is a limited one. If by 'local self-government' is meant popularly elected representatives having the authority to make important decisions about priorities in public policy, then the municipal corporations of UP offer little scope for this. As institutions they have little financial or legal autonomy, whilst the internal structure of the corporation tends to promote the authority of the officials rather than that of the elected councils. These factors suggest that decision-making in the municipal authorities of UP is dominated by the initiatives and constraints imposed from without by the state and federal authorities, and by the administrators from within. This is far from being an untypical picture of local decision-making processes; nor is it characteristic only of those countries that have only recently gained their independence. For example J. M. Lee<sup>5</sup> in a study of English local government concludes: "It is misleading to think of the County Council primarily as a body of elected representatives who make decisions of policy and then order officials to execute them. Although such a view constitutes the theory, the reality is vastly different. It is better to regard the system of county government as a body of professional people placed together in a large office at County Hall." This is taken as a paradigm of the "local decision-making process" and it leads to the second approach to this article, *viz.*, to identify the role of the elected representative in the local politico-administrative system, and, taking Uttar Pradesh as one's example, to note some of the structural conditions which surround the councillors' activities and channel their concerns more towards routine administrative matters and less towards policy-making *per se*. Among the more important factors which help explain this orientation to the representatives' work are the extreme scarcity of the public goods supplied by the local authority, the limited autonomous policy-making power of the corporation, and the overwhelming authority of the bureaucratic arms of the corporations.

Local self-government is not a new concept in Indian political life. Elected municipal boards have existed since the middle of the last

<sup>5</sup>J.M. Lee, *Social Leaders and Public Persons*, London, 1963.

century, and they have provided the stable pattern of municipal government since the beginning of this century. Despite the existence of separately constituted improvement trusts, the municipal boards have for many decades provided the focal point of local political life. They have been responsible for developing and administering basic civic services in the cities, and leading political figures have invariably participated in the electoral struggles to become members of these boards.<sup>6</sup> These boards, however, invariably do not have a continuous existence from the time of their inception. At all times the demands and pressures on these boards for goods and services are great. During periods of economic stringency, or when there is a significant influx of people to the cities, or some other crisis these services fall to an unacceptably low level of provision and the state government is obliged to 'supersede' the municipal authority. That is, the affairs of the municipality and the responsibility for the provision of services and deployment of resources are placed under direct state control. The history of Lucknow Municipal Corporation provides a good example of such an occurrence. The corporation had performed fairly efficiently since the 1880's but a sudden increase of population during the 1930's placed severe strain on its meagre resources. The problem was exacerbated by the fact that Lucknow had by this time become the administrative capital of UP and many of the newcomers were state government officials who demanded even higher standards of service than the indigenous Lucknowalas had done. By the 1940's popular dissatisfaction had increased to the point where the state government was obliged to set up an inquiry into the affairs of the Lucknow Municipal Board<sup>7</sup> which revealed a high level of corruption and mismanagement. The result was that in 1948 and for the subsequent eleven years the Lucknow Board was superseded and its affairs placed under direct state control. Since 1959 the corporation has been re-established as the focal point for local affairs.

There are five municipalities in Uttar Pradesh covering the major urban centres, and sometimes referred to as the KAVAI cities.<sup>8</sup> The authority of the corporations in these areas is derived mainly from the *U.P. Nagar Mahapalika Adhinyam* or Municipal Corporations Act 1959<sup>9</sup>. Although undoubtedly a factor, it would be a mistake to emphasise the lack of authority and autonomy of Indian municipal institutions in assessing their importance in the affairs of the cities. In many respects these Indian corporations can be compared to the English County

<sup>6</sup>H. Tinker, *The Foundations of Local Self-Government in India, Pakistan and Burma*, London, 1954.

<sup>7</sup>United Provinces, Lucknow Municipal Board Inquiry Committee, *Report*, Allahabad 1942.

<sup>8</sup>An acronym from Kanpur, Agra, Varanasi, Allahabad and Lucknow.

<sup>9</sup>For an interpretation of this Act see R.B. Das, "Municipal Administration in Uttar Pradesh" in A. Avasthi (ed.), *Municipal Administration in India, Agra*, 1972.

Borough, before the recent reorganisation of local government. With only minor exceptions *local* authority is concentrated in these corporations, and, particularly in the Indian conditions of scarcity and economic underdevelopment, many of their activities are of vital concern to the people. Like the County Borough, the municipal corporation ensures the administrative cohesion of the entire urban area. This is in stark contrast, for example, to many North American cities whose local affairs are fragmented amidst a plethora of geographically and functionally distinct bodies. This situation has been avoided in India because the state governments have used their powers to ensure that urban boundaries are adjusted to coincide with the spreading urban areas. In 1958, after the passage of the *U.P. Nagar Mahapalika Adhiniyam* the area of a number of the KAVAL municipalities was increased significantly to include tracts of land, which at the time were predominantly rural but which were clearly destined to be consumed by urban sprawl in the near future. These municipal corporations have the great advantage of not having to share any of their powers and duties with other local authorities, and *prima facie* one might say as Lord Redcliffe Maud said of the English County Borough: "This is local government in its simplest, most understandable and potentially most efficient form... A single authority has the great advantage that, through allocation of priorities and coordinated use of resources, it can relate its programmes for all services to coherent objectives for the future progress of its area considered as a whole."<sup>10</sup>

A whole range of services and responsibilities are administered by these municipal councils. In the 1959 Act, 40 'obligatory' duties and even more 'discretionary' duties are listed. They include the following:

1. *Water Supply*—to construct and operate waterworks and tube-wells, and to provide distribution systems to public points and private dwellings.
2. *Public Health*—to provide an ambulance service, to control infectious diseases, to prevent food contamination, to ensure adequate hospital and ancillary services, and veterinarian hospitals.
3. *Sanitation*—to remove rubbish and nightsoil from the cities.
4. *Drains and Sewers*—to ensure an adequate system of drains and sewers, and to promote the conversion to modern toilet facilities from hand cleaned latrines.
5. *Streets and Traffic*—to construct, maintain and light the cities' streets.

<sup>10</sup>Lord Redcliffe Maud, *Royal Commission on Local Government in England—Report*, 1969.

6. *Education*—to provide and develop a system of elementary education, and at their discretion to provide secondary schools.
7. *Building Regulations*—to regulate all construction and repair of buildings.
8. *Business Regulation*—to construct public markets and slaughter houses and regulate all markets, food sales and prevent activities such as prostitution and begging.
9. *Improvement Schemes*—town planning and improvement, such as slum clearance, preparation and execution of housing schemes and other new urban developments.

To finance these and their other activities, the corporations are entitled, by the 1959 Act, to impose a variety of local taxes. Some taxes, such as those on property, animals and unmechanised vehicles used for commercial purposes, the corporations are obliged to levy; whilst others, such as taxes on certain professions, advertisements, theatres and *octroi* (on goods entering the city) may be levied at their own discretion. In addition, they receive some monies as grants from the state government. In general during the 1960's these authorities relied on 3 main sources for the vast majority of their revenue, *viz.*, the *octroi* tax; grants from the state government; and property tax.<sup>11</sup>

Expenditure on the provision of the day-to-day services provided by the corporations also seems to follow a general pattern. The major services in terms of expenditure are the supply of water, sanitation and education. Between them these three often account for between 55 per cent and 60 per cent of the authorities' expenditure. A measure of the scarcity of financial and other resources is that in this, one of the poorest of all Indian states with the highest incidence of members of scheduled castes and scheduled tribes, only about 0.5 per cent of annual current expenditure is spent on social welfare services. It is the general condition of scarcity surrounding the provision of goods and services in these cities that adds significance to the corporations' activities rather than the scope of those activities. Money is in desperately short supply, and this is reflected in the corporations' incapacity to maintain an adequate water supply, to cleanse the cities' streets and to remove rubbish and nightsoil, etc. The demand for these public goods and services invariably exceeds supply and this is an important factor in determining the role of the elected representative in the municipal corporation.

Scarcity results in the inability of the corporations to meet the total demand for even the most immediate of civic services. This in turn creates competition for the scarce available resources amongst the various sec-

<sup>11</sup>For details see the Annual Administration Reports for the *Nagar Mahapalika*.

tions of the community. Many of the demands are for services of a routine nature—removal of rubbish; maintenance of water supplies; construction of adequate drainage systems, and so on. The scarcity and the competition determine the councillor's role for him. Whatever the theory of democratic local self-government may claim is the function of the councillor, he is not in a position to assume the role of the long term policy-maker, initiating coherent and integrated plans for the future of his city; nor for that matter is he a policy maker in the short term. Identifying the priorities of the community is a very minor part of the representatives' role. This would only be a meaningful function where the public authority has spare capacity and resources thus making it meaningful to choose in which of the possible alternative ways those resources should be deployed.<sup>12</sup> The municipalities of Uttar Pradesh do not have spare capacity; they do not possess sufficient resources to meet their day-to-day commitments for routine services. The problem for political actors in such a situation is thus not whether these services should be provided, but how to ensure minimal provision, and that the available resources are distributed fairly to all sections of the community. The councillor thus develops what is potentially a vital role in the administrative process, and a very close contact with his constituents. He becomes a vital link in the communications network between the administration and the people, by voicing the demands of his constituents, and competing on their behalf for the available resources.

The assumption of a 'policy-making' role by the elected councillor is further hampered by the legal and financial control exercised by the state. The latter provides a substantial part (as much as 35 per cent in some instances) of the corporations' current expenditure, and even greater proportions of new developments. This factor in itself severely limits the local bodies' autonomy to make policy or to reorder the allocative priorities for their areas. Over the years, since the Municipal Corporations Act of 1959, the financial position of the localities *vis-a-vis* the state has deteriorated. For example, the corporations have the right to levy taxes on unmechanised vehicles used for commercial purposes, but the state reserves the right to tax motor vehicles. With the rapid expansion of the use of motor vehicles in recent years and the corresponding disappearance of horse-drawn vehicles and bicycle rickshaws the state's revenue from this source has increased whilst that of the cities has contracted. All representations to the state for a share to the cities of motor vehicle taxes have been rejected. Thus the financial dependence of the corporations tends to increase, as costs, demands and expectations continue to escalate. But the state's power does not rely

<sup>12</sup> For an excellent discussion of this question see M. Naomi Caiden and Aaron Wildavsky, *Planning and Budgeting in Poor Countries*, Wiley, 1974.



exclusively on its control of financial resources. It has the legal power to review all important decisions made by the municipalities, and this has the effect of frustrating many local initiatives, either because they are not approved at the state level, or, if approved, the process of checking and approving at state level results in inordinate delays in implementation of local schemes at improvement or reform. The result is that either of two responses by local groups and politicians becomes typical. On the one hand, groups may decide to bypass the local corporation altogether in seeking significant policy changes. Instead, overtures will be made directly at state level, especially by the economically or professionally powerful interests. Alternatively, political activists recognising the difficulties in municipal-state relations may decide to abandon attempts to initiate policy decisions at all. Instead, they may be tempted to pursue their objectives in a piecemeal fashion within the framework of existing policies and practices, attempting to influence changes at the administrative level rather than in the political arena.

The apparatus of municipal government in UP must therefore be seen as that of a local administrative agency rather than as an autonomous policy making machinery to serve the local urban area. It is tempting to conclude at this point that local self-government does not exist, and is unlikely to come about in the foreseeable future, in the municipalities in this part of India. Such a conclusion would be based on theoretical assumptions of the role of elected representatives as the makers of policy decisions who then order the officials to execute those decisions.<sup>13</sup> Conditions of modern societies make it highly unlikely that elected politicians anywhere could adequately perform such a role, or that modern bureaucracies could operate within such a framework. This, however, is not to argue that elected representatives have only a peripheral role in modern democracies, but rather to suggest that the traditional view of their role as legislators must be re-examined. The modern administrative techniques of calculation and control make intelligible the complexities of mass societies, but, in general, politicians have insufficient expertise to either use or understand those techniques without the assistance of other paid officials. Thus their policy making role is further circumscribed, and constitutes little more than a registration of political choice within a framework laid down by the administrators. Moreover, since the way in which data is gathered, and the techniques used in its analysis contribute a great deal towards delimiting the range of options open to

<sup>13</sup> Such were the assumptions of many of the so-called "classical theories of democracy" of the 18th and 19th centuries. To a lesser extent they also characterise the theories of modern 'elitists'. Schumpeter, *e.g.*, asserts that democracy is "that institutional arrangement in which individuals acquire the power to *decide* as a result of a competitive struggle for the people's vote (emphasis added). J.A. Schumpeter, *Capitalism, Socialism and Democracy*, London, 1954, p. 269.

decision-makers, it is possible to suggest *prima facie* that this factor alone substantially undermines the representatives' policy making role.

During the earlier years of the twentieth century, during and immediately after the British period, there was some attempt to replicate the structure of English local government in Indian municipalities. The municipal boards operated very much as the English County Borough did, functioning through a number of standing committees who supervised the departments for whom they were responsible. The boards appointed the administrators and they were accountable to the board for their activities. In addition, there was no formal distinction drawn between legislative and administrative functions, and councillors exercised considerable influence on administrative matters.

In contrast, the present municipal corporations seem designed to minimise the authority of the elected representative. For example, the commissioner (*i.e.*, the chief executive officer) is appointed by the state government, and is usually an experienced member of the Indian Administrative Service, and it is he, not the council, who is charged by the 1959 Act to provide water, development plans, etc. In emergencies he is empowered to take whatever action he sees fit, often involving expenditure of large sums of money, without prior consultation with the elected representatives; and, at all times, he is responsible for preparing the corporation's budget, for deploying and supervising the staff, and for conducting the day-to-day administration.

The state government prescribes the remuneration for the commissioners, subordinate administrators, and also the necessary qualifications for persons appointed to such positions. The actual structure of the administration is considered locally by each corporation, but any proposal to increase, reduce or otherwise alter the administrative hierarchy must be approved by the state government.

By contrast, the representative element of municipal government in this part of India continues to follow in form at least the British traditions. The council is composed of councillors (elected popularly from multi-member wards) and aldermen (elected by the councillors) who share the same rights, privileges and duties. The British legacy is perhaps best seen in the offices of mayor and deputy mayor. The former is held for one year and involves symbolic functions only whilst the latter who is elected for five years by his fellow council members presides over the most important committees of the council, provides an important link between members and officers and thus is a focal point for much political power in the municipalities.

The bases of the Corporation's legal power lie with the council themselves and the statutory committees that each corporation is required to elect. The most important of these is undoubtedly the executive committee which is required to superintend the municipal administration

of the city. This resolves itself into vetting financial matters, considering and, if necessary proposing amendments to the commissioners' budgets, and questioning senior officers about the operation of their departments. This, the most prestigious corporation committee, is invariably composed of the most influential representatives.

Development is an important aspiration amongst political actors in this part of India, but paradoxically the development committees of these municipal corporations do not attract the most influential councillors, and election to their ranks is never keenly contested. This fact reflects the basic weakness of the elected element of municipal government in UP, as well as the inherent rationality of the councillors' behaviour patterns. Although the development committees are empowered to vet and amend the commissioners' proposals for development plans and schemes the councillors recognise that this is a power of little consequence because the plans must conform to the various standards set at state level, and in this context, the municipalities' lack of financial resources makes them even further dependent upon state approval.

The relative positions and roles of the bureaucracy and elected members in the municipal corporations of UP have been well summarised in the title of a book edited by two Indian academics, viz., *The Deliberative and Executive Wings in Local Government*.<sup>14</sup> The council may require the commissioner to produce any document, plan or correspondence in his care, or to make a report to them on any aspect of municipal administration; but, for all their powers to scrutinise administrative actions, their ability to substantially alter those actions, to initiate policy changes or otherwise to influence the allocation of aggregate priorities through formal channels is severely limited. The limitations imposed by state control have already been referred to, but their position *vis-a-vis* the local bureaucracy is equally weak. The usual source of authority for local representatives is the power of appointment of local administrators, but in UP even this does not exist. The commissioner is appointed by the state government, and subordinate officials are appointed by the commissioner in consultation with the State Public Service Commission. At the lower levels of the administrative hierarchy appointments are made by the heads of the various departments. At no time have the councils been able to assume a position at the centre of a local politico-administrative system in which the administrators perform out of a sense of loyalty and support for the elected representatives as those to whom they owe their livelihood. In fact, since 1966, the position of the council in this respect has been further weakened by the state government's policy of centralisation of services by which the state government exercises the right to allocate personnel to the corporations in accordance to the relative needs

<sup>14</sup> R.B. Das and D.B. Singh (eds.), Lucknow, 1968.

of the municipalities. Also it decides not only how many administrative and technical staff each corporation shall have for each of its services, but also who they shall be and how much they will be paid.

The only power remaining to the representatives is the right to have an administrator transferred to another post but even here a vote of no confidence will only be acted upon by the state government if it has a  $\frac{5}{8}$  or  $\frac{2}{3}$  majority in the council. Whilst this power is not inconsequential, and it can enable councils and councillors to press their points of view and be listened to a greater extent than would otherwise be the case, it is insufficient to enable the representatives to assume a programme of policy making. Piecemeal changes in policy implementation and other incremental gains may be achieved from the administrator who "seeks a quiet life" or is concerned lest his record reveals continued overt controversy with the politicians.

The situation in the KAVAL towns of Uttar Pradesh is one in which the powers of the elected representatives are severely limited by the financial and legal powers of the state government, and by the administrative and other allegiances of the administrators. In such circumstances the role of the representatives is not to initiate policy, or otherwise to pursue an integrated set of objectives, but rather to scrutinise and ratify proposals made by the administration, and to draw attention to local circumstances which may affect the application of policy in their areas.

In these circumstances, the councillor tends to regard established policy as one of the parameters of his activities and concentrates instead on ensuring that 'his' constituents receive their share of municipal services. The conditions of economic scarcity and general atmosphere of political corruption surrounding Indian politics makes this a vital role for the continuation of relatively smooth municipal government. Each councillor is potentially competing with all other councillors for the limited resources available. This in turn means that, because of this widespread political 'interference' in administrative action, representatives cannot rely on formal rules and policies to ensure their share of the allocative priorities. They, therefore, tend to spend a large proportion of their time as a line of communication between the citizen and the administration, and involving themselves with the day-to-day demands of a routine administrative nature. The councillor is still concerned with the allocation of priorities, but the focus of his activity has moved from the policy making arena, as assumed by the classical theorists of democracy, to a concern with administrative discretion and the administration of policy decisions. □

# State Control over Municipal Bodies\*

Mohit Bhattacharya

TWO ANTITHETICAL ideas have stood in the way of a proper appreciation of state-municipal relations. Proponents of *paternalism* have stuck to the viewpoint that the municipal bodies have to be regularly controlled, supervised, guided, and occasionally punished to get work out of them. At the other end are the advocates of populism who are staunch supporters of unbridled municipal democracy run by elected city fathers opposed to any sort of 'interference' from the state government. The truth seems to lie in between these two polar opposites. Complete centralisation of powers tends to transform local 'government' into local 'administration', and the strength of a central government that tries to keep local government weak is an illusive strength.

The populists are ignorant of the fact that municipal democracy as a form of government can be stronger with, and not without, central government support. Left to itself as an isolated enclave, local government can never be an efficient instrument of local governance. It is only within a network of relationships—both horizontal and vertical—that local government can expect to muster strength.

## STATE CONTROL WITHIN THE FRAMEWORK OF RECIPROCITY

State control over the municipal bodies has to be understood within this framework of reciprocity. The performance of municipal bodies has importance not only for the municipalities themselves, but also for the state and union governments. 'Control' need not be interpreted as a device for curbing and restricting the domain of municipal bodies. From the management point of view, control is meant for monitoring and evaluation purposes. Theoretically, one can conceive of a process of standard setting by the higher level government. The objective of monitoring is to measure current performance of local government units as on-going systems. Monitoring devices must go hand in hand with

\*From *Indian Journal of Public Administration*, Vol. XXII, No. 3, 1976, pp. 465-471.

effectuating or action devices to correct any deviant performance and return it to the preset standards. The purpose of 'evaluation' is to check whether a local government unit at the end of a period, say, one year, has been able to achieve certain preset standards. It is possible, similarly, to evaluate the whole system of municipal government and find out how the system has fared in fulfilling planned targets.

The way state control over the municipal bodies is actually being activated now does not seem to indicate any systematic management orientation. All the Municipal Acts contain almost identical provisions regarding 'control' which includes inspection and calling for records and returns, annulment of decisions, action in default, supersession and dismissal of elected councils. There are other means of control over personnel, taxation and budgetary processes. In addition, there are functional or technical controls in respect of specific municipal functions such as health and sanitation, roads and public works, water supply and drainage and sewerage and so on.

It is pointless to quibble over the *formal* provisions of law pertaining to state supervision. What is important is to find out the *actual* nature of control exercised by the state over the municipal bodies. For instance, in how many cases have the state governments invoked the default powers? In how many cases have the municipal resolutions been rescinded? How frequently have records and returns been called for? How many municipalities have really been inspected and at what intervals? In how many instances have the supersession provisions been invoked? These are questions concerning mainly the job of the state's local self-government department (variously named). In the absence of systematic collection of information, it is not possible to answer these questions with a degree of precision. Usually information on supersession gets some publicity. But the other facets of supervision go unnoticed and unreported.

It is even more difficult to understand the actual nature of state-municipal relationships in specific functional areas such as health and sanitation, roads, water supply, etc. Here, the municipal bodies have to deal with a number of state functional departments. They have their separate works manuals, technical scrutiny, conditions regarding funding of projects and staff deployment. It is only through detailed process studies that one can find out the actual nature of interactions taking place between the municipal bodies and the state functional departments. The *formal* framework of state-municipal relations may well be a paper framework. *Really*, what goes on between the state and the municipal bodies might be traceable in the interaction of situations around particular functions. A survey was conducted on the actual nature of functional relationships between the state and the municipalities in four states; and then the formal framework of inter-governmental relationship

was placed alongside the actual functional relationships. The result was quite revealing. To quote the study:<sup>1</sup>

This four-state survey reveals varying attitudes of the state functional departments toward municipal functional administration. Regarding state-municipal functional relations, Tamil Nadu and Maharashtra exhibit the common features of an integrative administration, although the general frameworks of state-municipal relationship in these two states are not the same. In West Bengal, the general framework is liberal; the formal nature of state-municipal functional relationship is integrationist; and the actual nature of state attitude to municipal administration verges on a *laissez faire* policy. Only in Gujarat the general framework of inter-government relationship and state-municipal functional relations strike a unifying note.

The study went on to observe :

Such divergent departmental attitudes have important policy implications for municipal government as a whole. The municipal functions such as water supply, public health and medical services, education, roads, etc., are closely inter-linked and their developments need to be coordinated. An over-emphasis on the expansion of one particular service, say, education, may not produce the desired result, unless an allied service like health is also planned and developed concurrently. There is an urgent need, therefore, to treat municipal functional development as a whole with all the allied functions moving in concert. It should be one of the principal responsibilities of the house-keeping department at the state level, the local self-government department, to keep in constant touch with the plans and programmes of the state functional departments and knit them together in order to avoid distorted functional development at the municipal level.

#### NO METHOD ON STATE CONTROL

Apart from sensational news items such as supersession of the Calcutta Corporation or the Madras Corporation, methodical information on how in practice the state government use their different control mechanisms is not readily available. Empirical studies are badly needed to unravel the actual interaction processes, the motivations behind them and the results they produce. It is not unlikely that in one state there is a whole spectrum of state attitudes to exercise control over

<sup>1</sup>Mohit Bhattacharya, *State-Municipal Relations*, IIPA, New Delhi, 1972, p. 57.

municipal bodies. At one end, there may be municipalities that have been touched; at another there may be municipalities which have been rigorously controlled. In between, various shades and degrees of controls may be visible in relation to numerous local authorities. Many critical questions may be posed as key hypothesis which could then be tested through field surveys. For instance, is there any correlation between municipal efficiency, measured as precisely as possible, and state control? Is the degree of state control related to size and complexity of municipal administration? How does state control operate in those cases where the municipal bodies are far removed physically from the state headquarters? Do vertical political linkages have any effect on the nature and degree of control? What is the data-base of state action when controls are activated in practice? In other words, on what information, does the state government come to exercise control of specific kinds? These and similar questions relating to state control over municipal bodies can be answered only through case studies and field surveys. Answers to these are necessary to make any generalisation about the actual nature of state control. Mere supersession of a handful of municipal bodies should not give the impression that the state governments have been rigorously controlling municipal governments. It is possible to reach quite opposite conclusions after detailed field surveys that the states do not care much about how the municipalities function in practice. Perhaps, the state governments swing into action only when, 'reportedly', there is gross municipal inefficiency, corruption or financial bankruptcy. Even in these extreme situations, it might be interesting to inquire how the state government came to know about the state of municipal administration. Not always information would be coming from government sources. It is the 'grapevine' that works.

From the practical point of view, state control, if it has to be meaningful, must be backed up by a proper support organization of the state government.<sup>2</sup> Municipal administration need not be controlled for the sake of control. The state government must be clear about the objectives of municipal government. Only within a broad state policy toward municipal institutions can 'control' have a definite purpose. Otherwise, as is the custom now, controls of all kinds and degrees will continue to be enforced for *ad hoc* purposes.

To be more specific, one can suggest that broadly speaking, the objectives of municipal government are twofold: (a) to maintain a system of grassroots democracy; and (b) to supply a number of civic services to the citizens living in various urban centres. If there is general agreement about these terminal goals of municipal institutions, state

<sup>2</sup>See, in this connection, Mohit Bhattacharya, *State Directorates of Municipal Administration*, IIPA, New Delhi, 1969.



control has to be directed towards their achievement. Purposive control is part of the on-going management process in an organisation. As earlier stated, to activate control, intermediate monitoring of the going on in the municipal bodies has to be done in a planned way. Within a definite time horizon, say a year or a period of five years (to coincide with our five-year plans), a total evaluation of the system of municipal government has also to be completed. Both monitoring and evaluation can be meaningful only against certain preset standards.

It is this absence of any consideration for standards that state control has become random, arbitrary, irksome and highly politicised. Imagine, for instance, a situation when the state has to clamp down supersession. To give a sample quotation, the Gujarat Municipalities Act, 1963 provides for the following conditions:

If in the opinion of the state government a municipality is not competent to perform, or deliberately makes default in the performance of, the duties imposed on it by or under this Act, or otherwise by law or exceeds or abuses its powers, the state government may after giving the municipality an opportunity to render an explanation, by an order published, with the reasons therefore, in the official gazette declare the municipality to be incompetent or in default or to have exceeded or abused its powers as the case may be and may dissolve such municipality or surpersede it.....Section 263(1).

*Formally*, the state government must strictly follow the requirements of law as laid down, and the supersession order will be valid. But there are many interesting *real* problems involved here. Incompetence or default in performance needs to be proved for which evidence have to be supplied. What actually happens is that all of a sudden, for some reason or other, the supersession decision is taken, and then efforts are made to collect information and evidence to lend support to the decision already taken. Hence, it is commonly held that most supersession decisions are politically motivated. No doubt, such extreme decisions will usually be political in nature. Yet, it is possible to collect data and information regularly by the state administration to have a continuous watch on municipal performance. Political decisions that are backed by objective data are expected to be more convincing.

#### STANDARDS FOR MUNICIPAL PERFORMANCE

What is being suggested is that the state administration in charge of municipal bodies has first to set standards of performance for different classes of municipal bodies—small, medium and large (or some other

classificatory scheme). The municipalities are basically engaged in regulatory and service activities. Buildings regulation and planning fall in the first category. In the second category are familiar municipal services such as water supply, roads, education, health and sanitation, etc.

Wherever possible, quantitative targets may be fixed for each municipal function. For instance, per capita water supply, extension of road mileage, coverage of inoculation and vaccination, expansion of drainage and sewerage, tonnage of garbage—all these are quantifiable items. For each group of municipal bodies (classified on some mixed criteria of population, income, jurisdiction, etc.), annual targets may be set in respect of specific functions. On the regulatory side, per capita taxation, absolute tax collection, the number of building applications cleared, to give some instances, are also quantifiable. Targets of tax collection can be set for a year; similarly targets of building inspection can be estimated over a period. Once such annual targets are set in consultation with the municipal bodies, the state administration has to monitor performance in respect of each function at regular intervals, say, quarterly or half-yearly. This can be done through a mixture of reporting and inspection. But the purpose of monitoring will be to see the progress of each municipality towards the achievement of pre-set targets. In the course of monitoring, the problems of specific municipalities in fulfilling the targets can be discussed and solutions found. If necessary, particular targets may have to be revised in the light of experience. The whole exercise is expected to be helpful for both the state and the municipalities. At the end of a stipulated period, say, a year, the total performance preset through target fixation can be evaluated. And the state government will be in a sound position to see which municipality is lagging behind in which group. Causes can then be diagnosed and remedies suggested. Comparative evaluation of performances of different municipal bodies will give the state a strong data-support with which to frame and revise policies. A scheme of data collection can also be planned for the 'constitutional' aspect of municipal bodies. This will involve regular collection of data regarding the number of meetings of committees and councils, the number and nature of the resolutions passed, attendance of members, etc. This is intended to watch the operation of the political machinery.

More concretely, the following steps are suggested to make state control more purposive and result-oriented.

- (i) The state government should introduce performance budgeting at least in the major municipal bodies where the urban problems are relatively more severe. Performance budgeting has the merit of concretising the 'input-indicators' at the level of each local body. The state government will then have to watch the perfor-

mance in each sector of municipal administration and compare progress against the targets set in the budget.

- (ii) A set of 'output indicators' has to be developed by the state government to find out the impact of municipal performance on the urban society and economy. These will be in the nature of urban social indicators<sup>3</sup> showing at regular intervals the state of the urban areas in terms of social and economic conditions, health and physical development, literacy growth and environmental improvement.
- (iii) The state government will have to help the municipal bodies, at least the major ones, to frame five-year municipal development plans, which will then be incorporated in the state five-year plan. This will provide a framework for the preparation of the annual performance budget of a municipality.
- (iv) Last, but not least, at the state level, a systematic management information system (MIS) has to be developed to methodically collect *relevant* information in order that the state government can frame and revise sound policies in regard to municipal bodies, and intervene, whenever necessary, in the affairs of the municipal bodies in the interest of healthy growth of municipal government in the state.

Control in this sense will not be looked at as obnoxious. The state government will emerge in the process as a facilitator and not as a restricter of municipal activities. Within a national planning framework, negative controls of olden days have to give way to positive management control with adequate information and data storage at vantage points in state administration, and continuous feedback and evaluation of performance. Withdrawal of functions, supersession and setting of alternative organisations are no substitute for hard homework by the state house-keeping departments. If municipal institutions have to be retained and promoted at the grassroots level, state control has to change from restriction to facilitation. □

<sup>3</sup>See, in this connection, special issue of *Nagarlok*, April-June, 1976, on "Social

# Local Government, Local Administration and Development: Role Adaptation of the District Officer in India\*

Haridwar Rai

THE DISTRICT Officer has been primarily the field agent of the government and has symbolised local administration in the district.<sup>1</sup> Consequently, he occupied the focal point in the Indian local government system during British rule, being directly responsible, until the introduction of dyarchical government, for the administration of the local bodies in the same manner and to the same extent as for revenue and criminal administration in his area.<sup>2</sup> In early days, he was *ex officio* president of the district board and the headquarters municipality and performed the dual role of presiding over their meetings and 'helping' them in making decisions on matters of local concern, on the one hand, and implementing them with the help of local administrative machinery, on the other. Besides, he exercised financial and administrative control over them of a stringent type, treating them as virtual appendages to his headquarters establishment. Thus, local bodies were part of the tradition-bound authority of the collectorate and he exercised control from *within* rather than *without*. Local administration thus absorbed local government.<sup>3</sup>

\*From *Indian Journal of Public Administration*, Vol. XIV, No. 1, 1968, pp. 89-104.

<sup>1</sup>For a discussion on the role of the district officer as government's agent and representative in the field and as local chief executive, see Haridwar Rai, "The District Officer in India Today", *Journal of Administration Overseas*, Vol. VI, No. 1 January 1967, pp. 13-27.

<sup>2</sup>With the introduction of the Montford reforms under the Government of India Act, 1919, the domain of the provincial government was divided into two groups of subjects, one of which was made over to ministers chosen by the governor from among elected members of the provincial legislature, while the other remained under the administration of the governor and the members of his executive council. The former were called the 'transferred' subjects, prominent among which were those of education, medicine, local government, public works, agriculture, etc., and the latter 'reserved' with the governor and his executive council. This arrangement became known as dyarchy.

<sup>3</sup>For a full treatment of the role of the district officer in the local government  
(Continued on next page)

With the introduction of dyarchy, this system of control from within was substituted by that of control from without under which local bodies ceased to be part of local administration and became, instead, an authority parallel to it. The district officer, nevertheless, had still the right to intervene to prevent action on their part likely to lead to a breach of peace or to 'grave injustice' to any section of the population, and always remained the sole agent through whom the provincial government exercised powers to make rules, dissolve local bodies, control their finances, take action in default, settle disputes and did similar other things. This system of control remained basically unaltered until the advent of Independence when, with the inauguration of panchayati raj, about the same old controversy, as it were, came to be revived which had bedevilled the Indian local government system from the days of Lord Ripon. The controversy epitomised a state of hostile relations, an antagonism, between local administration and local government. The former was regarded as representing bureaucracy, foreign rule and traditional governmental authority, the latter as serving the first step towards self-rule and as the preparatory school in the life-and-death political struggle against the colonial rule. Local government became an important weapon in the nationalist armoury for capturing the goal of political power. Local administration became the symbol of British resistance to nationalist efforts to end colonial rule.<sup>4</sup>

Even some time after independence, local bodies generally continued to have a vegetative existence in the shadow of local administration. Also, they suffered almost endemically from the lack of resources, and most serious of all, they were out of touch with the

(Continued from previous page)

system before independence, see Haridwar Rai. "The District Officer *vis-a-vis* Local Government System in India: An Aspect of the System of Control and Supervision of Local Authorities before Independence", *The Patna University Journal*, Vol. 21, No. 3, July 1966, pp. 43-57.

<sup>4</sup>For a detailed discussion on the controversy, see *ibid.*, pp. 47-54. In fact, it has been observed that the loss of unlimited power which local administration exercised over local government tended to produce in the district officer, "an attitude of half cynical criticism and he was inclined to believe that "the structure built by his predecessors in the district boards and municipality was travelling down the easy descent to chaos and bankruptcy". See *Memorandum submitted to the Indian Statutory Commission by the Government of Bihar & Orissa*, Vol. XII, Calcutta, Central Publication Branch, 1930, p. 292. Richard Park has maintained, as against this, that "for nationalist leaders, or potential leaders, it was the substance and not the form of politics that was desired. Local administrative and advisory experience thus became only stepping-stones to the politics of nationalist movement where political power, not training was the goal". See "District Administration and Local Self-Government", in Richard L. Park and Irene Tinker (eds.), *Leadership and Political Institutions in India*, London, Oxford University Press, 1960, p. 340.

aspirations of the people and needs of the locality.<sup>5</sup> No wonder, many of the functions of local bodies were taken over (this became known as *provincialisation*) by the state government, for there did hardly exist a unity of purpose and outlook between governmental agencies in the field and local bodies, which was so essential to the coordinated development of the countryside. Accordingly, when the state government drew up blue-prints for the socio-economic reconstruction of village communities, a number of development programmes were launched through its departmental agencies and not through the instrumentality of local bodies. It was feared that "the creation of decentralised agencies for functions now performed by state governments may lead to the weakening of the administration and to the lowering of the standards of performance."<sup>6</sup> Indeed, despite loud public proclamation in praise of local bodies following independence, their inherent legitimacy and importance were incompletely recognised and they remained in what has been aptly remarked "a state of tolerated rather than legitimate, experimental rather than permanent existence".<sup>7</sup>

Thus, local bodies were still treated by the government as unsuitable organs for arousing public enthusiasm and mobilising community cooperation and, therefore, when development programmes were inaugurated in community development and extension blocks in the first years of the fifties, they were evidently ignored and no respectable role was assigned to them in the task of community building. Instead, *ad hoc* block and district advisory committees, consisting of representatives drawn from legislature, rural cooperatives, voluntary bodies, various government departments and also local bodies were constituted to whom was entrusted the work of organising people's cooperation and initiative for implementing development programmes through the machinery of local administration. They were intended to be nuclei, under official aegis, of concerted and united efforts and 'aided self-help' of village communities in the scheme of community development. Thus, in the first decade of independence, there was "an increasing degree of official and centralised control throughout the whole range of local affairs".<sup>8</sup> The Mehta Study Team, too, saw in

<sup>5</sup>For a full account of the defects in the Indian local government system before independence. See Haridwar Rai, "A Background Study of Panchayati Raj", *Journal of Political Science*, Agra University, December 1966, pp. 36-44.

<sup>6</sup>Government of India, Planning Commission, *The First Five Year Plan*, Delhi, Manager of Publications, 1953, p. 139.

<sup>7</sup>D.G. Karve, *Public Administration in Democracy*, Poona, Gokhale Institute of Politics and Economics, 1950, p. 31.

<sup>8</sup>Hugh Tinker, "Authority and Community in Village India", *EROPA REVIEW* Vol. I, pp. 122. See also Hugh Tinker, "Tradition and Experiment in Forms of Government", in, C.H. Philips (ed.), *Politics and Society in India* London, Allen and Unwin, 1963, pp. 167.

this development "the gradual eclipse of district boards from the social polity".<sup>9</sup>

But even these block and district advisory committees could not achieve their objective. They were essentially consultative bodies, lacked representative character and could not obtain a legitimate status in popular estimation on account of their failure to secure the degree of the popular participation and cooperation implicit in the concepts of community development and national extension service. Some of the representatives of government departments tended to avoid attending them, for they regarded this as waste of time. Some of the non-official members looked upon them as forums for ventilation of grievances against certain official agencies or their individual employees involved in the extension organisation. Their approach to rural development problems had generally sectional or parochial undertones and tended to be more often a hindrance than a help in promoting development programmes.<sup>10</sup> A comprehensive review of local government and administration conducted by the Mehta Study Team—"probably the most influential survey of local administration which has appeared since Independence"<sup>11</sup>—revealed that attempts made to harness local initiative through *ad hoc* advisory committees had generally failed and had not given sure indication of "either durable strength or leadership necessary to provide the motive force for continuing improvement of economic and social condition in rural areas". Accordingly, the Study Team formulated the scheme of democratic decentralisation, now called panchayati raj, and concluded: "So long as we do not discover or create a representative and democratic institution, which will supply 'the local interest, supervision and care necessary to ensure that expenditure of money upon local objects conforms to the needs and wishes of the locality', invest it with adequate power and assign to it appropriate finances, we will never be able to evoke local interest and excite local initiative in the field of development."<sup>12</sup>

<sup>9</sup>Government of India, Committee on Plan Projects, *Report of the Team for the Study of Community Projects and National Extension Service*, Vol. II, Delhi, Manager of Publications, 1957, p. 12. The report of the team is popularly called the Mehta Study Team Report, after the name of its Chairman, Balwantray Mehta.

<sup>10</sup>For a full picture of the working of block and district advisory committees, see Government of India, Planning Commission, *Evaluation Report on the First Year Working of Community Projects*, 1954, *Second Evaluation Report on the Working of Community Projects and N.E.S. Blocks*, 1955, and *The Third Evaluation Report on the Working of Community Projects and N.E.S. Blocks*, 1956, New Delhi, Programme Evaluation Organisation, and Government of India, Planning Commission, *Second Five Year Plan*, New Delhi, Manager of Publications, 1956.

<sup>11</sup>Hugh Tinker, "Authority and Community in Village India", *EROPA REVIEW*, *op. cit.*, pp. 119.

<sup>12</sup>See *Report of the Team for Study of Community Projects and National Extension Service*, Vol. I, *op. cit.*, p. 5.

## II

Thus emerged the panchayati raj scheme as an alternative to district and block committees "from the anxiety to obtain full public co-operation in the execution of development programmes" rather than "from the political motive of broadening the base of our democracy or laying the foundations of ..." participating democracy.<sup>13</sup> During the First Five Year Plan, emphasis was laid upon strengthening the normal district administration and transforming it into a welfare administration. Administrative efficiency and people's cooperation were the ends to be achieved. The Second Five Year Plan also underlined the importance of district administration as an agency of change towards a new social order. The district officer was in the centre of planning and execution. He was and was intended to be the captain and coordinator of development agencies in the district.

The administrative machinery in the district still was the pivot of planning and execution; and people's representatives were only *associated* with the formulation and execution of development programmes. The thinking of the Second Five Year Plan, in respect of giving more assistance and delegating more powers to the district officer, was almost entirely in line with that of the First Five Year Plan. Though the former emphasised "the necessity of district administration responding to the needs of the people, and integrating into its basic structure institutions of popular association and cooperation, it still kept the dichotomy between district administration, on the one hand, and local self-government institutions on the other".<sup>14</sup> Thus, even in the Second Five Year Plan, stress was laid on *participation* by local bodies or their committees or other *ad hoc* committees in the formulation and execution of development programmes rather than *devolution* of powers to them. In this system of district administration, the position of the district officer as captain and coordinator of development departments and as sole supervisor of all governmental activities in the district remained unimpaired.

However, the acceptance of the scheme of democratic decentralisation by state governments was bound to have a far-reaching effect upon district administration, and ideas held so far about its set-up began undergoing a significant change. A cardinal question that naturally came up for discussion at the very outset was: What should be the role of the district officer in the scheme of panchayati raj? How should

<sup>13</sup>Jayaprakash Narayan, *Swaraj for the People*, Varanasi, Akhil Bharat Sarva Seva Sangh, 1961, p. 7.

<sup>14</sup>P.R. Dubhashi, "Whither District Administration?", *Kurukshetra*, Vol. 10, No. 1, October 1962, p. 35.



he stand in relation to these bodies? Should he be inside the panchayati raj institutions? Or, should he watch their working from outside, acting as their guide and adviser and, occasionally, censor? Similar questions had been raised in the eighties of the last century when efforts were made to organise local bodies by Lord Ripon.

The Mehta Study Team which pleaded so vigorously for the devolution of wide powers to the panchayati raj institutions could not have possibly omitted to refer to the office of the district officer, and indeed suggested that "the Collector will be the chairman of this parishad (the zila parishad) and one of his officers will be the secretary".<sup>15</sup> That there should be some amount of state control over the panchayati raj institutions is beyond any doubt. They are, after all, what may be called "the infra-sovereign geographic sub-divisions"<sup>16</sup> and, therefore, it may be pleaded that the district officer as the agent of the state government in the district should have some means at his disposal to keep himself in touch with their working, guide them in their initial stages, and keep the government fully informed of how they go about their work. Without doubt, this contention in itself is debatable. But another point which has aroused a keen controversy during the past decade is whether he should play his role as a *member* or *chairman* of these bodies or as an *observer* from outside taking corrective action, where the government so decides.

### III

The first official conference which discussed the question of his alternative roles in the panchayati raj system was the sixth meeting of the central council of local self-government held at Bangalore in November, 1960. The conference resolved: "The Collector should be kept outside the three-tier system and should be the agent of the Government in the field with the duty to keep the Government informed of the happenings and the general trend of events, and where the Government so decides, to take necessary corrective action. For these, purposes, he may be entitled to attend the meetings of the Zila Parishad/ Panchayat Samiti or its sub-committees and also call for their records. But where the district level body is, in its functions, a mere co-ordinating and advisory body, the Collector could be associated with it more closely than where it is an executive body."<sup>17</sup>

<sup>15</sup>*Report of the Team for the Study of Community Projects and National Extension Service*, Vol. 1, *op. cit.*, p. 19.

<sup>16</sup>Samuel Humes and E. M. Martin, *The Structure of Local Governments Throughout the World*, The Hague, International Union of Local Authorities, Martinus Nijhoff, 1961, p. 3.

<sup>17</sup>See *Kurukshetra*, Vol. 9, No. 4, January 1961, p. 12.

The conference further decided that the district officer and the sub-divisional officer should be responsible for carrying out inspection of the panchayats and the panchayat samitis and the inspection reports should be sent to the panchayat samiti or the zila parishad, as the case may be, and the district heads of technical departments for suitable action.<sup>18</sup>

A few months later, the annual conference on community development and that of state ministers of community development and panchayati raj held at Hyderabad in July, 1961, discussed the following alternatives :

Should the Collector be :

- (a) Chairman of zila parishad (as recommended by the Mehta Study Team);
- (b) Chairman of standing committee, though not chairman of the whole body;
- (c) Full or associated member of the zila parishad; and
- (d) Completely outside the three-tier system.<sup>19</sup>

Though the conference resolved that "the collector should keep himself in constant touch with zila parishad with regard to planning and implementation of various development programmes", it felt that it was yet too early to indicate which of the following four alternatives, which presented themselves to the conference, were the best: "(i) The collector should be fully associated with the panchayati raj institutions and should be member and chairman of the zila parishad, (ii) The collector should be a member of the zila parishad and chairman of all its standing committees, (iii) The collector should be just a member of the zila parishad with/without any right to vote, (iv) The collector should be completely outside the zila parishad but with a right to take part in the deliberations, whenever he considers this necessary."<sup>20</sup>

One or the other of these alternatives was acceptable to each one of the states which had either introduced measures on panchayati raj in their legislatures or had already enacted them. Those who were in favour of retaining the district officer as the chairman of the zila parishad argued that the latter needed the expert guidance of the district officer, for he could give the necessary fillip, with his administrative

<sup>18</sup>See *Kurukshetra*, *op. cit.*, p. 12.

<sup>19</sup>Government of India, Ministry of Community Development and Cooperation, *Annual Conference on Community Development and Conference of State Ministers of Community Development and Panchayati Raj at Hyderabad*, New Delhi, 1961, p. 176.

<sup>20</sup>*Ibid.*, p. 22.

experience and authority, to the whole programme of development and also promote the coordinated effort of officials and non-officials. But there was a radically opposite view sponsored by those who felt that the district officer was the symbol of the old bureaucratic order, and should not, therefore, be chairman of a popularly elected body. This view favoured a non-official chairman for the zila parishad, for this would inspire confidence among both the elected representatives and the people. There were two middle views, in between the two extreme ones. One was that if it was wrong and undemocratic to make the district officer chairman of the zila parishad, it was equally wrong and ill-advised to keep him outside the panchayati raj system. The advocates of this view urged that the district officer would be able to make his best contribution as chairman of the standing committees of the zila parishad. Another middle-of-the-road view was that the district officer should be just a member of the zila parishad and nothing more.<sup>21</sup>

#### IV

There is a section of public men in the country consisting mostly of Gandhian constructive workers and Sarvodaya ideologues, who advocate that the district officer should be the chief executive officer of the zila parishad in the same way as the block development officer is the chief executive officer of the panchayat samiti. Their approach to the local government system is sought to be extolled and popularised by the Association of Voluntary Agencies for Rural Development (AVARD) under the influence of Jayaprakash Narayan, the Sarvodaya leader. Their theory of local government system is based on the concept of 'communitarian polity' in which the 'higher' bodies derive their powers from the fact that the institution 'below' them, in effect, entrusts them with certain authority in order that they might be able to do what the 'lower' bodies themselves find to be beyond their competence.<sup>22</sup>

A Study Team sponsored by AVARD to conduct a study of the working of the panchayati raj system in Rajasthan remarked that "if the district officer were to function in relation to the *Pramukh* (i.e., chairman, zila parishad), as the *Vikas Adhikari* (block development officer, is expected

<sup>21</sup>Government of India, Ministry of Community Development and Cooperation, *op. cit.*, pp. 176-177.

<sup>22</sup>Jayaprakash Narayan, *A Plea for Reconstruction of Indian Polity*, Kashi, Sarva Seva Sangh, 1959, pp. 91-94. He associates the concept of Panchayati Raj with the name of Gandhiji according to whom each unit of local government in its own jurisdiction is *equally* important. See Jayaprakash Narayan, "The Role of Political Parties in Panchayati Raj", *Indian Journal of Public Administration*, Vol. VIII, No. 4, October-December, 1962, p. 605.

to function in relation to the *Pradhan* (i.e., chairman, panchayat samiti), the *Pramukh* would have all the scope for work that he needs and would be able to play an important part in moulding the development programme in the district".<sup>23</sup> In order that the state government is not weakened in relation to these bodies, the AVARD Study Team was not averse to letting the government arm itself "with the same powers of cancellation and suspension of resolutions in respect of zila parishad as it has in respect of panchayat samiti. And these powers can be operated in case of emergency".<sup>24</sup> It was also felt that the district officer should have an independent jurisdiction regarding law and order, and should be free to execute such duties as the state government directed him to do. The AVARD Study Team on the working of panchayati raj in Andhra Pradesh, however, went the whole hog in favour of Jayaprakash Narayan's idea of the local government system and declared that the ultimate aim of panchayati raj was "the complete transference of all the present functions of government to the zila parishad".<sup>25</sup> Obviously, according to this Team, even the law and order and emergency powers of the district officer would have to be developed to the zila parishad in none too distant future.

As against this extreme idealisation of local government, there may be a more realistic view according to which the line between the development and traditional functions will tend to be thinner with the passage of time in view of the gradual emergence of a climate in favour of devolution. It is suggested that the development functions will be seen in course of time not as a separate activity of government but as a particular emphasis upon the objectives of the system's total functioning.<sup>26</sup>

<sup>23</sup> Association of Voluntary Agencies for Rural Development, *Report of a Study Team on Democratic Decentralisation in Rajasthan*, New Delhi, Pataudi House, 1961, p. 19. In this connection the view of Jayaprakash Narayan is worth quoting. He says, "...if the devolution of power in Panchayati Raj is real, then eventually the District Magistrate should disappear or remain only as representative in the district of the State Government just as the Governor is now only a representative in the State of the Central Government." See *Swaraj for the People*, op. cit., p. 9.

<sup>24</sup> *Ibid.*

<sup>25</sup> Association of Voluntary Agencies for Rural Development, *Report of a Study Team on Panchayati Raj in Andhra Pradesh*, New Delhi, Pataudi House, 1961, p. 37. For a critical review of Jayaprakash Narayan's 'Communitarian Polity', see also Hugh Tinker, "Tradition and Experiment in Forms of Government", *Politics and Society in India*, op. cit., pp. 172-181. In this connection, the view of the S.S.P. (Samyukta Socialist Party) is worth knowing. It is in favour of abolishing the post of the District Officer and transferring all functions to the elected district council. See Madhu Limaye, *Why Samyukta Socialist?* Bombay, Popular Prakashan, 1966, p. 26.

<sup>26</sup> This was the view held by a group of eminent political leaders, university men, representative of voluntary bodies and administrators who assembled at Mussoorie in April 1962 to discuss public administration aspect of panchayati raj.

The full implication of the panchyati raj system, according to this view, raises the question as to whether a case can be made out for the continuance of all district services as a separate field agency unconnected with and independent of the panchayati raj system.<sup>27</sup> No doubt, the field agency of government is in no imminent danger of being absorbed in the new local government system, but the trend of legislation in some of the states (in particular, in Maharashtra and Gujarat) and findings of some reforms commissions hold out important possibilities for the future.<sup>28</sup> It is imagined that the zila parishad may take over, in due course, the operative as well as coordinating and development functions of the district officer. His judicial functions in relation to law and order administration are already being transferred to professionally trained judicial officers.<sup>29</sup> Meanwhile, police officials through their organisation are actively engaged in urging government to hand over police (executive) functions to the district superintendent of police.<sup>30</sup> And, above all, his revenue functions to which he owes his creation and which have formed mainstay of his strength and prestige are sought to be transferred to village panchayats, as in Bihar. Thus, through this process of attrition, the office of the district officer, it may be conjectured, may sink into oblivion, and the executive officer of the zila parishad will emerge the most influential government functionary in the district official hierarchy—being in training, administrative experience and status equivalent to the 'forgotten' district officer. If this is the logical consummation of the process, why not make the district officer the chief executive officer of the zila parishad, in view particularly of the fundamental changes that have occurred 'in the traditional position of the area coordinator (often called the 'district officer' or the 'district commissioner') in many of the newly independent countries of Africa?<sup>31</sup>

<sup>27</sup> Government of India, Ministry of Community Development and Cooperation, *Public Administration in Panchayati Raj: Agenda Papers*, Mussoorie, Central Institute of Community Development, April 9 to 13, 1962, pp. 8-9.

<sup>28</sup> A recent administrative reforms commission accepts the Maharashtra model as most appropriate and thus reinforces this trend. See Government of Punjab, *Report of the Punjab Administrative Reforms Commission*, Chandigarh, Controller of Printing and Stationery, 1966, p. 227.

<sup>29</sup> See Haridwar Rai, "Separation of Executive and Judicial Functions of the District Magistrate: An Aspect of the Criminal Administration in a District of Bihar", *Journal of National Academy of Administration*, Mussoorie, Vol. IX, No. 1, pp. 1-22.

<sup>30</sup> Cf. Haridwar Rai, "District Magistrate and Police Superintendent in India: The Controversy of Dual Control", *Journal of Administrative Overseas*, Vol. VI, No. 3, July 1967, pp. 192-199.

<sup>31</sup> It is interesting to note that "in Western Nigeria the post has been abolished; in Eastern Nigeria, it has been reduced to advisory and liaison functions with local government units; in Ghana, it has been replaced by a regional post filled by political appointment; in Sudan and the United Arab Republic, it has been transformed into

V

The proposal to abolish the office of the district officer or to make him the chief executive of the zila parishad, divesting him altogether of his role as the local agent and the area coordinator of government, does not yet command wide measure of support and approval. Apart from psychological resistance to this move, there are real practical difficulties. In India, the district officer has been the head of district administration, government's agent in the field and its most crucial instrument for executing its policy decision of all sorts in the countryside. It will be hard indeed for government to reconcile itself to the suggestions that this post should altogether disappear. Also, the suggestion militates against the very traditions of Indian administration which consists "in the repeated division of territory into smaller local areas, entrusting their administration to agents of central authority with power to exercise the functions of government within their jurisdiction".<sup>32</sup> Admittedly, the abolition of the office of the district officer or its complete absorption in the local government system will mean a radical and, perhaps, unwelcome and even hazardous departure from the system of field administration we are acquainted with.<sup>33</sup>

The question of appointment of the district officer as chief executive of the zila parishad is equally fraught with an intense controversy. It may be said that as chief executive officer, he will play "the leadership role of an executive nature" and will be "the undoubted head of the team of district development officers". He will be the chief adviser of the zila parishad and will also act as a translator of the advice of the technical heads into "terms of feasible administrative measures" for the

(Continued from previous page)

the office of the chief executive of local authorities of something similar to it..." See United Nations Technical Assistance Programme, *Decentralisation for National and Local Development*, United Nations, New York, 1962, p. 25. In this connection the observation of an expert on the African administrative system may be quoted, "In some countries", he says, "like Ghana and Tanganyika, field administrative officers—Chief Commissioners and Provincial Commissioners, District Commissioners and District Officers—have been replaced by political officers...In other countries they have become Local Government Inspectors." See A.L. Adu, *The Civil Service in New African States*, London, Allen and Unwin, 1964, pp. 33-34.

<sup>32</sup>See Haridwar Rai, "Institution of the District Collector", *Indian Journal of Public Administration*, Vol. XI, No. 3, July-September, 1965, p. 647.

<sup>33</sup>The observation of Richard Park in this connection is worth quoting. He says: "Respect for the relative impartiality and efficiency of the collectors of India remains high. Close observers of district administration seldom report local people pleading for an increase in local responsibility for local affairs. On the contrary, the bulk of opinion favours the retention of strong collectorates as protection against predatory incursions against the purse and powers of local affairs by local politicians." See Richard L. Park, "District Administration and local Self-Government", *Leadership and political Institution in India, op. cit.*, p. 339.

benefit of the zila parishad. Besides, the district officer in this role will serve as a reconciliator of national objectives with local needs and will play an important role in national development without being hindered by "an illogical position where he is a mere voting or non-voting member of the zila parishad or the chairman of the standing committees".<sup>34</sup>

There is also an opposite and, perhaps, more convincing view held on the question, which found an authoritative expression in the resolutions of the Hyderabad conference held in July, 1961. Attended by ministers and top officials of development departments of various state governments the conference concluded that the district officer must discharge the following broad functions in the panchayati raj system:

- (a) To function as a representative of the state government at the district level and to work as an effective liaison between state government and the zila parishad.
- (b) To help in the proper and healthy growth of the new institutions and in particular assist the zila parishad to grow into an effective organisation for purposes of development.
- (c) To ensure optimum utilisation of resources available to panchayati raj institutions, such as money, staff, technical assistance and other facilities from higher levels.
- (d) To ensure that district level officers discharge their central responsibility for planning and supervision so as to provide adequate technical support to the programme.
- (e) to ensure that planning by the zila parishad and lower bodies is realistic, and is in conformity with national priorities or policies.
- (f) To ensure that the panchayati raj institutions give due attention to the economically weaker sections of the community.
- (g) To exercise emergency powers in case of abuse of authority by the local bodies or their office bearers as also in other cases in accordance with the provisions of law.<sup>35</sup>

Consisting of ministers and key officials of development department the conference looked at the whole question from the point of view of what it felt could be translated into practice under the circumstances. It wanted the district officer to continue to be the representative of government, the guardian of law and order, the promoter, helper and mentor of the panchayati raj institutions, and the supplier of adequate

<sup>34</sup>See P.R. Dubhashi, "Leadership Role of the Collector", *Indian Journal of Public Administration*, Vol. XI, No. 3, July-September, 1965, p. 621.

<sup>35</sup>See Government of India, Ministry of Community Development and Panchayati Raj, *Annual Conference on Community Development and Conference of State Ministers of Community Development and Panchayati Raj at Hyderabad*, July, 1961, New Delhi, 1961, p. 177.

technical support and facilities to the district-level officers. Once this is accepted, it becomes evident that the district officer can discharge this responsibility only when he is either outside the panchayati raj organisation or a permanent invitee to or a non-voting member of the zila parishad or the panchayat samitis, rather than when he is the chief executive officer of the former. The question, therefore, that deserves careful examination, from the practical point of view, is the extent to which the district officer should exercise supervisory powers over the legally elected representative bodies in the district.<sup>36</sup>

It is generally agreed that an officer subordinate to the zila parishad as its chief executive officer cannot discharge his duty as representative of government and as guide and adviser of the panchayati raj bodies. With a double accountability, he will tend to be more loyal to one or the other. He cannot, for instance, exercise his law and order duty independently, or perform other duties prescribed by the state government without being a suspect in the eyes of the zila parishad. Also, if the district officer becomes subordinate to the zila parishad, the state government will be left without an interdependent observer on the district scene who can report objectively on the progress of development work and on the operation of local government. He will find himself in an embarrassing situation inasmuch as he will have to divide the responsibility between local government and local administration. As the Maharashtra Committee has commented: "While reporting to Government on any matter and in carrying out its directions issued by virtue of its controlling powers, he will constantly be in a dilemma as to whether he should act on his independent judgement or take the Council (*i.e.*, zila parishad) in his confidence. His position will become particularly difficult in matters where there is a difference of opinion between the Government and the Council... It will be extremely difficult for him to divide his loyalty into compartments and show different personalities at different times according to the authority under which he is operating."<sup>37</sup>

The suggestion that the district officer should remain outside the panchayati raj institutions emanates from one more consideration. It is said that, as an official, he has no place in a purely non-official and elective body. He should rather function as an agent of the state govern-

<sup>36</sup>In this connection, see also the recommendations of Bihar Government, Local Self-Government Department, *Report of the Committee Constituted by the State Government to Consider the Future Set-up of District Boards in Bihar*, Patna, Government Secretariat, 1958, pp. 18-22.

<sup>37</sup>Government of Maharashtra, Cooperation and Rural Development Department, *Report of Committee on Democratic Decentralization*, Bombay, 1961, p. 102. This is also known as the *Naik Committee* after the name of its Chairman.



ment reporting it on the activities of these bodies in the same manner as he did on those of the district boards formerly. But this is countered on the ground that the association of the district officer with the working of the zila parishad and panchayat samiti will be of mutual advantage to both. It is maintained that the complete separation, as has been recommended by the Maharashtra Committee on Democratic Decentralisation<sup>38</sup> from the work of the panchayati raj institutions, except the obligations of the chief executive officer of the zila parishad, or those of block development officers, to keep him informed, will amount to his virtual removal from the main stream of development efforts in the district. It is difficult to see in what manner he can watch the work of the zila parishad or the panchayat samiti unless he has a right to sit and watch their deliberations, and even participate in them, whenever he thinks it necessary. The intention of the Third Five Year Plan that the district officer should assist the panchayati raj institutions in developing "the right conventions in the day-to-day work"<sup>39</sup> would never be realised. In fact, his report to the government would not be realistic in the absence of detailed background knowledge of the working of these institutions.

It is even doubted whether he can effectively discharge his revenue and magisterial functions if he is isolated from such centres of intense political activities in the countryside as the zila parishad and the panchayat samiti, since the strength of his office has laid all these years in the close contacts he maintains with the public mind in his district. In fact, his separation, it is believed, from these institutions may mark the beginning of the end of this institution itself. Besides, from the point of view of the panchayati raj institutions as well, this arrangement seems most likely to deprive them of the advice of a mature, experienced and detached official, whose only motive is to promote the interests of his district. If he is associated with these institutions, he may, by persuasion and unbiased argument, patch up differences of opinion in regard to matters of policy and those of execution, should things so warrant, and can make effective representation to the government on behalf of these bodies.

#### IV

The balance of advantage seems to lie in having an arrangement under which the district officer, while retaining close touch with the panchayati raj institutions, is allowed to function as an independent

<sup>38</sup>Government of Maharashtra, Cooperation and Rural Development Department, *op. cit.*

<sup>39</sup>Government of India, Planning Commission, *Third Five Year Plan*, New Delhi, Manager of Publications, 1961, p. 340.

agent of the state government in the district. He may or may not be a regular voting member of the zila parishad and panchayat samiti. But he should be entitled to attend their meetings or the meetings of their sub-committees, whenever he deems it necessary. His role in relation to the zila parishad should involve periodical and informal discussions of the affairs of the zila parishad with its chairman and leading members and with the senior officers of the development departments in the district. It should be the duty of the chief executive officer of the zila parishad to keep the district officer regularly informed of the intentions and actions of the zila parishad and to avail himself of his advice. It should also be possible for the chairman of the zila parishad and the district officer to meet at least twice a month or even more frequently, if possible, and discuss matters relating to the development of the district with special reference to the activities of the zila parishad. It would be from such consultations and deliberations that the district officer would be able to know when to offer general advice to the zila parishad by being present in its meetings. It is clear that whatever his relationship with the new local bodies in the district might be, it must be materially different from what it used to be with the district board. "Assistance, Guidance and Advice from within" and not (as was the case with the district board, "Control and Direction from without") should be the governing motto of the new relationship. "Assistance, Guidance and Advice from within" should not necessarily mean that he should attend each and every meeting of the zila parishad regularly. He should not, in fact, do this, except when his presence is necessary, *e.g.*, when it is necessary in the interest of public order and good administration that he should advise the whole zila parishad on specific matters.

The future of the district officer is surrounded by a mist of uncertainty. Through the mist, two schools of thought are discernible. The one regards the district officer as a 'scaffolding' which is employed when building is in progress, but which must be dispensed with once the building has been completed. The school is prepared to make use of the institution of the district officer in the building up of the panchayati raj institutions into vigorous and active centres of local government. It visualises that in near future almost all the activities of the government in the district will be transferred to the zila parishad, panchayat samiti and village panchayats, and once this is achieved, a functionary of the status and training of the district officer will not be needed. Instead, the chief executive officer of the zila parishad will become the key functionary in the district. The other school of thought holds that even with the establishment of a full-fledged panchayati raj system, the district officer as an accustomed and trusted institution and as a residuary legate of all undemarcated functions of government must continue,

though he will no longer be "the final arbiter"<sup>40</sup> of issues concerning local bodies. His future role seems to be in 'coordination' and not in administration<sup>41</sup>. Coordination, in particular, will involve in this case "striking a balance between the development of the panchayati raj system as an institution capable of balanced decision making...and the need to ensure that the system is implementing state policies and programmes efficiently and maintaining and even improving the standards laid down by the technical departments."<sup>42</sup> Nevertheless, it seems quite probable that the successful working of the panchayati raj system over a period of ten or fifteen years will tend to render the district officer less essential to the system.<sup>43</sup> □

<sup>40</sup>A United Nations report aptly notes that in India, questions relating to the future role of the District Officer are of great concern, the answers to some being: (a) he will not be "the final arbiter" of issues in his area..., (b) he "cannot serve as chairman of the local authority", (c) he should continue to serve as "the eyes and ears of government" at the local level..., (d) he can perform certain functions, such as administration of elections, etc., and (e) he should 'lubricate' relations among technical services between the latter and local authorities. See *Decentralisation for National and Local Development*, *op. cit.*, p. 53.

<sup>41</sup>See Harold F. Alederfer, *Local Government in Developing Countries*, New York, McGraw Hill Co., 1964, p. 183.

<sup>42</sup>See S. Chakravarti, "Community Development, Planning and Administration at Local Level in India", *Journal of Local Administration Overseas*, Vol. II, No. 1, 1963, p. 221.

<sup>43</sup>For a detailed discussion on this point, see an unpublished Ph.D. thesis of Haridwar Rai, *The District Officer in Bihar*, Patna, Patna University, 1965, Chapters 6 and 8.

# Organising City Government\*

Gian Prakash

CITY GOVERNMENT, today, is in a state of flux. This growing organism, pulsating with vitality, lives from crisis to crisis—political, administrative and financial. Municipal governments in our times have been subjected to enormous strains having been called upon to fulfil the tasks of developing and maintaining civic services on a scale far greater than they were designed to perform.<sup>1</sup> The tasks of the city governments today are far more varied and complex. They have not only to maintain the municipal services but to build up the infrastructure and provide the economic base to meet the requirements of a fast growing urban complex. Preparation of city development plans, their enforcement over a wide area, urban renewal, slum clearance and re-development of blighted areas, are some of the problems that confront the city, which has neither unity nor integrity.

Most municipal administrations are not equipped to meet the challenge of the modern city<sup>2</sup> and there is hardly any area of administration which touches the daily life of the citizen so intimately and where the indices of clientele satisfaction would be so low. It is not, therefore, surprising that the structure, functions and areas of local authorities are under constant review and a matter of political debate in and out of the legislatures which by their statutes provide the necessary sanction for establishment of municipal corporations and define the extent of their powers and resources.

The demands of decentralisation and autonomy in local self-government are being countered by the transfer of municipal functions to special area authorities or *ad hoc* bodies and the needs of reconciling democratic aspirations with efficiency of service are put forward as arguments for executive centralisation and bureaucratic control. All this has led to a fragmentation of authorities and conflict of jurisdiction. Speaking of the Government of London before its recent reorganisation, the Herbert Commission stated: "The machinery is

\*From *Indian Journal of Public Administration*, Vol. XIV, No. 3, 1968, pp. 498-513.

<sup>1</sup>W.A. Robson, *Local Government in Crisis*, London, Allen & Unwin, 1966, p. 9.

<sup>2</sup>*Third Five Year Plan*, Government of India, p. 693.

untidily and full of anomalies. There is overlapping, duplication, and in some cases gaps."<sup>3</sup> The description would be equally applicable to most great cities across the globe and yet paradoxically enough little has been done to reorganise our city governments to be effective instruments for the provision and maintenance of services so basic and essential to the economic welfare, safety and convenience of vast masses of urban population. "Local Government is suffering from a momentum of decline... any substantial improvement will demand far-reaching changes in the structure and finance of Local Government, the relations of local authorities with Central departments and the powers entrusted to Local Councils."<sup>4</sup>

### THE METROPOLITAN CITY

The impact of the technological revolution and the development of transport and communications have transformed the concept of the city. The old city owed its vitality to religious and cultural forces as a centre of administration. Life revolved round the civic centre. Its size was relatively limited and could even be contained within a wall. The modern city, however, is an economic phenomenon. Itself the product of industrial development, it becomes the agent and instrument of economic growth and industrial expansion. The city today knows no boundaries. It grows under the dual forces of concentration and dispersal—congestion and blight at the centre and amorphous sprawl outwards.

The city, therefore, is no longer a single political entity. It is, on the one hand, a corporate legal person having a well-defined territorial jurisdiction under a statutory governmental organisation; on the other, it is a socio-economic and geographic entity spilling across local, district or even state boundaries, encompassing within its fold a number of authorities, functional and territorial. The metropolitan area is a disorganised complexity, living by its own momentum interspersed by brakes, jams and breakdown, to say nothing of social upheavals. The urban dweller lives in one jurisdiction, works in another and goes for shopping and recreational facilities to a third. He sends his children to school managed by one authority and drinks water supplied by another. Urban government presents a confusing pattern of separate local units, boards and authorities. Such a situation is hardly conducive to the development of civic loyalties and responsible citizenship. No wonder that the voter turnout in civic elections is generally lower than that at the state or national levels.

<sup>3</sup>*Report of Royal Commission on Local Government in Greater London, 1960, p. 73.*

<sup>4</sup>W.A. Robson, *op. cit.*, pp. 10-11.

## THE PROBLEM

The central issues in the world-wide debate on the organisation of city government are two, namely :

- (a) Structural organisation with particular reference to the effectiveness of the municipal administrative machinery, which in turn depends on the nature and character of the executive; and
- (b) The question of rational link between areas of administration and functional distribution to ensure not only the efficient provision of municipal services but also a smooth orderly transition through the period of rapid growth and extension.

These two central themes, as they affect the functioning of our city governments, are examined below.

## PATTERNS OF MUNICIPAL ORGANISATION

A feature of the city administration is its broad sweep and the comprehensiveness and diversity of its functions. Urban governments are called upon to undertake a variety of activities and provide civic amenities and community facilities without which it would be unthinkable for the vast mass of people to be concentrated in a relatively limited area. Local government at its own level is the replica of the state government and yet something more. It is the executive arm for the performance of a great variety of functions and execution of local works with an added emphasis on public relations and people's participation. Success of city government depends so much indeed on civic tradition and civic pride which may ensure active cooperation of the citizens in the maintenance and running of municipal services and in the enforcement of its rules and bye-laws for a healthier and more satisfactory life for the urban community. Since local government deals with matters of everyday life it has been considered to be an area of administration where even matters of detail could be left directly to be dealt with by the representatives of the people. This probably found its full expression in the English system of local government where the elected council holds the dominant position working through a host of committees which, in turn, deal directly with the operating heads of departments. It was this system of local government by committees assisted by a subservient secretary or executive officer, if any, that formed the basis of the local government structure in India. But it differed from the parent system in the fact that the local bodies were not so free from the control of the central government which retained to itself wide powers for direction and supervision including the power

to dissolve, suspend and supersede. In the United States also the distrust of a strong unified executive led to the adoption of mayor-council plan in which the executive authority was diffused and the mayor had little actual control on city administration.

City government, however, involves less of policy decisions and more of programmes and their execution calling for a high degree of administrative and technical competence. In the United States, the weak-mayor-council system divided executive direction among council committees, the mayor, a number of elected officials and a variety of boards and commissions. "The existence of these varieties of executive pluralism, based as they were on the faulty premise that the people would have a greater voice in their government, had a debilitating effect upon the administrative process."<sup>5</sup> At the turn of the century, executive power in municipal government was gradually held by a strong mayor, directly elected or the council manager appointed by and responsible to an elected council. The council manager plan gives a professional expert and a career administrator the full responsibility and authority for the direction of the municipal departments. The mayor and council approves the budget, lays down policies and is the chief arbiter of the manager's conduct of the administration. The system has helped to raise the standards of efficiency in municipal management.

While the council manager plan has been most popular with medium cities, the large cities in the United States have preferred the strong mayor system—under which the mayor functions as the chief executive much in the same manner as the governor or the president. It is felt that the council manager plan fails to provide the necessary political leadership for a bold approach to the problems of the great city which the manager with his preoccupation with administrative efficiency, financial discipline and professional limitations fails to provide. "The people of the large cities feel that political decisions should be made by a politically accountable official, the Mayor."<sup>6</sup> Nevertheless, in a number of cities the mayor is now being assisted in the performance of his arduous duties by a high ranking administrator.

In the United Kingdom a committee on the management of local government (1967) emphasised that "the lack of clear recognition of what can and should be done by officers and what should be reserved for decision by members lies at the root of the difficulties in the internal organisation of local authorities."<sup>7</sup> Admitting the undoubted value of the

<sup>5</sup>Benjamin Baker, *Urban Government*, Honolulu, East-West Centre, 1965, p. 425 (also see page 16).

<sup>6</sup>*Ibid.*, p. 147.

<sup>7</sup>Benjamin Baker, *op. cit.*, p. 35.

deliberative role of committees it pointed out that committees "on the English pattern which administer as well as deliberate are no longer feasible. The virtues of committee are outweighed by the failures and inadequacies of the committee system."<sup>8</sup> While it did not favour the vesting of direction and control of the administration in a single person, such as the strong mayor and the council manager, it recommended the setting up of a small management board with five to nine members. It also recommended that the town clerk, without being handed over the powers of the American city manager should be recognised as the head of the city administration with authority over the principal officers for the efficient management and execution of the functions of the local authorities. He should be made responsible to the management board while the principal officers should be responsible to the higher authorities through the clerk.

In sharp contrast to the elected single executive of New York there is the bureaucratic executive head of the city of Paris, which unlike the Communes in France does not have a mayor. The prefect of the *department* of Seine in which Paris is situated, is the chief executive. He is a very senior member of the national cadre of prefects. The municipal council and its committees have wide powers to inquire into every aspect of city administration and the examination of the annual budget gives the opportunity for wide ranging scrutiny of administration and enunciation of broad policies. Nevertheless, except in a few matters they can scarcely force their decisions on the prefect, who is appointed by the ministry of the interior.<sup>9</sup>

A unique institution in the field of municipal executive is the Dutch Burgomaster. He is appointed by the crown for six years and can be reappointed. His salary and emoluments are also fixed by the crown but paid out of municipal funds. He presides over the municipal council and guides its deliberation but has no vote. He is the chief executive and presides over the college or executive board consisting of 6 to 12 aldermen elected by the council. He has independent powers but seeks to exercise them in conjunction with the local authority. He is neither a state civil servant nor a local government official but the ceremonial head of the municipality. He presides and leads. Standing above political parties he can always come forward with objective agreements that influence the decisions of the council.<sup>10</sup> One of his important qualifications is his capacity to work in harmony with the council and to identify

<sup>8</sup>*Management of Local Government, Report*, Vol. 1, London, HMSO, 1967, p. 27.

<sup>9</sup>For a full account see Brian Chapman's contribution on "Paris" in *Great Cities of the World*, W. A. Robson (ed.), London, Allen & Unwin, 1954.

<sup>10</sup>For a fuller account see Vol. 4 of the *Management of Local Government, Report*, London, HMSO, 1967, p. 125.



himself with the interests of the municipal authority he serves.

### MUNICIPAL STRUCTURE IN INDIA

Under the Constitution of India, local government is exclusively a state subject and the structure and powers of urban local bodies are defined in the municipal laws of respective states. For major cities, known as the municipal corporations there are special separate laws and their organisation somewhat differs from that of other municipal authorities. There are, today, thirty cities constituted as corporations out of which thirteen have a population of 5 lakhs or over and another thirteen have a population between 2.5 and 5 lakhs. The pattern for municipal corporations was largely set by the city of Bombay Municipal Act of 1888. Although there are some variations in the structure and powers of the various authorities the basic governing principles are practically the same. The corporations under their respective laws have three statutory authorities, namely :

- (a) The corporation councils including the mayor and deputy mayor.
- (b) The statutory committees.
- (c) The commissioner.

The councils vary in size from about 40 in the smaller corporation to about a 100 in Calcutta, Madras and Delhi and 131 in Bombay, elected on the basis of universal adult suffrage. It is the supreme governing body of the corporation and the municipal government of the city vests in it. It is the custodian of policies. All proposals for taxation and the annual budget estimates are initially drawn up by the commissioner, but it is the statutory standing committee which reviews the whole matter and often makes substantial changes before submitting the same to the corporation council for its final approval. The municipal commissioner generally appointed by the state government is responsible for carrying out the decisions of the corporation with full control over staff and exercising the executive powers for the carrying out of the provisions of the Act and rules and bye-laws made thereunder, subject to such limitations and conditions as are laid down in the law regarding the powers and jurisdiction of the statutory committees and the councils. The mayor is elected by the council for a period of one year and can be re-elected. He is the acknowledged leader of the council and presides over its meetings. He represents the city at all occasions, ceremonial or otherwise. Although without any specific executive authority he has the opportunity of influencing the administration and development of the city because of his high position and enormous prestige of his office. Although the commissioner is designated as the

chief executive authority for carrying out the provisions of the Act there is a wide range of powers exercised under the law by the standing committees and the council that are of an executive nature and would not normally be exercised by the legislative body. The powers of the council are indeed so wide that they have often to be delegated to the standing committees or to commissioner. For instance, in Calcutta the corporation delegated powers to the standing committees in respect of three hundred matters and the list of delegation to the commissioner contains over sixty items<sup>11</sup> and yet the Corporation of Calcutta Enquiry Committee of 1962 observed that "too many administrative matters go up to the corporation and the services of the standing committees are not utilised to the full extent". In respect of the commissioner, it said, "the entire executive power for carrying out the provision of the Act has been vested in the commissioner but his statutory powers are very limited and unless these powers are supplemented by an adequate delegation of other powers by the corporation and standing committees, he could not run day-to-day administration of the municipal affairs with proper efficiency".

The powers of the commissioner in the Municipal Acts of Bombay, Madras and some other corporations may not be as circumscribed as in the case of Calcutta, but the executive authorities are considerably handicapped in day-to-day administration by the following broad limitations:

- (a) Even if budget provisions have been made for specific items and works of expenditure, purchase of stores and the like, the commissioner has to obtain the sanction of the standing committees or the whole council for expenditure and contracts exceeding certain amount, which varies from Rs. 5,000 to Rs. 25,000 in different corporations depending on their size and importance. All contracts and expenditure exceeding generally a thousand rupees, even though within the statutory powers of the commissioner, have to be reported to the standing committees. His powers with regard to acquisition and disposal of land or leasing of movable or immovable properties is further circumscribed and it is not unusual that the commissioner has to go to a standing committee for its approval for fixation of rent or allotment of shops, etc. The process of obtaining sanction of the appropriate authority has been often found to be dilatory, resulting in considerable delay in the sanction and execution of important works.
- (b) In matters of establishment, although, the staff is under the

<sup>11</sup>Ali Ashraf, *The City Government of Calcutta: A Study of Inertia*, Bombay, Asia Publishing House, 1966, Appendices A and B, pp. 89-123.

administrative control of the commissioner, his powers of appointment and therefore of disciplinary control are substantially circumscribed. In most corporations appointments to posts carrying an initial salary of about Rs. 200 or over have to be made by the standing committees or the council and any disciplinary proceeding against such incumbents require the approval of these deliberative bodies.

- (c) The committees generally and the council in some cases enjoy appellate powers against the orders of the commissioner in establishment matters, taxation and in some cases, assessment also, building regulations and control and licensing, etc.

Apart from the exercise of specific powers the working of the departments of the corporation and the whole range of municipal services is constantly under review by the standing committees and the council, leading to resolutions and directions and to the commissioner. The committees are to be found busy inspecting institutions and work places concerned, and offer suggestions by passing resolutions for improvements. For instance, during 1962-63 the nine committees of the Hyderabad Corporation had 569 meetings, that is, almost two meetings every working day. No wonder that in 1958 an observer of these committees in the Hyderabad Municipal Corporation suggested that their activity should be cut down. Moreover, the character of some of their activities is such that it may not be possible to shield city administration sufficiently against the pressure of local vested interests."<sup>12</sup> Apart from these the municipal administration works under constant pressure from the members of the council in matters of establishment of rules and bye-laws, in such matters as removal of encroachments, restrictions, on lettings of public lands, etc., which evoke considerable public tensions. Under the circumstances the state governments have been finding it increasingly difficult to secure the services of senior officers for holding this difficult charge.

A parallel is some time drawn between the institution of municipal commissioner and the American city manager, but there are some basic differences between the two. Firstly, while it is the council which has the complete power of hiring and firing the city manager, in India, the municipal commissioner is appointed by the state government generally from amongst officers of Indian Administrative Service and they can be withdrawn or transferred at the instance of the state government or on the corporation council adopting a resolution for withdrawal by a vote varying in different corporations from a mere majority to two-thirds of

<sup>12</sup>M.A. Muttalib, "The Municipal Commissioner", *Public Administration*, London, Autumn issue, 1967, p. 298.

the total membership. While there are instances of municipal commissioners that have teamed well with the mayor and have carried the elected bodies with them in the day-to-day administration of the city, generally he is looked upon as the "government's man" imposed on the corporation and his bureaucratic background evokes a sense of aloofness and hostility among the elected members. The question of relationship between the executive and the deliberative wing is a standing issue defying solution.

Secondly, although entirely subordinate and accountable to the council, the American city manager has wider authority and much greater freedom of action, and has a much better chance of carrying the small council and its mayor, with him. He is untrammelled by any interference from the standing committees and a large body of councillors that take so much of the time of the commissioner. It is the city manager's job to work out feasible alternatives for solving city's problems, and get the democratic organ, the council, to choose the course to be adopted. Once this decision is taken, it is for him to ensure that the will of the council is carried out.

Thirdly, the city manager, is a professional expert, who has made municipal administration his career. He is selected by the council on the basis of his past achievements in the field and is employed for a contract period, which can be renewed. His future and his market value depends on what he makes of his opportunities. He as well as the council, that has engaged him, has a stake in his successes and failures. The municipal commissioner, though a career administrator, is not a specialist in urban affairs and works in his job as a passing assignment outside his line to which he is anxious to return as soon as possible. One of the criticisms levelled against the system is that the incumbents of the post are frequently transferred causing dislocation in city administration. Delhi, for instance, has had four commissioners in the past five or six years.

The present system of administration, therefore, has failed to ensure effective executive performance. "From the administrative standpoint there is no supreme authority or body, small enough for close and thorough deliberation, strong enough to initiate and carry through new and massive plans, and comprehensive enough in jurisdiction to coordinate or supervise the activities of other branches of corporation."<sup>13</sup> On the other hand, the elected wing of the corporations have been clamouring for power to deal with the cities' problems for which they are answerable to the people. There is a proposal for Delhi to vest the entire executive power of the corporation in the mayor aided by two deputy mayors forming a mayor-in-council. While such an arrangement may make the

<sup>13</sup>Ali Ashraf, *op. cit.*, p. 58.

city government more democratic doubts have been expressed about its capacity to handle the difficult and complex problems of the city of today. The success of such an experiment is ultimately dependent upon the ability of municipal bodies to obtain the services of high level expertise and what is more the willingness to be guided by such expert advice in larger interest of the city.

Any proposals to invest the office of the municipal commissioner with fuller executive authority and freedom of action is unlikely to be acceptable to the municipal council and will only evoke greater hostility of the deliberative wing. Moreover, the commissioner is a public servant and cannot be expected to mobilise popular support and public participation on a large scale, which is essentially a function of political leadership. Nevertheless, it cannot be denied that there is need of a strong executive organ which can act effectively, expeditiously and with responsibility backed by necessary technical expertise to deal with the complexities of the urban situation.

It may be mentioned that apart from the corporations, the municipal bodies are governed by an omnibus municipalities act in each state in which the executive authority is vested in the council and the chairman, elected by the council as its leader. Excepting some specific powers vested in the chairman, all authority is exercised by delegation to the committees, the chairman and permanent officers of the municipal body. In some states there is a system of appointing executive officers or chief officers on terms and conditions that may require prior approval or confirmation of the state government. This system extends to most local bodies even in the population range of 2 lakhs to 5 lakhs. Even though more democratic in conception, the system involves a diffusion of authority and responsibility which has led to an appalling state of inefficiency and maladministration.

The Rural-Urban Relationship Committee, having carefully considered the various viewpoints, recommended that every corporation and major municipal councils may have four functional committees for planning and development, works and housing, health and sanitation, and education. The members as well as the chairman of the committees should be elected by the councils. Over and above this there should be a coordination and finance committee, which is headed by the mayor of a corporation or chairman of a municipality, as the case may be. The deputy mayor/vice-chairman and the chairman of the four functional committees should be its members. Two more members may be elected by the council. Special committees may also be set up as considered necessary, for specific functions. These committees should have limited powers. It is the finance and coordination committee that should play the dominant role in controlling the preparation of budget, supervising all financial matters and ensuring coordinated working of all the

departments.<sup>14</sup>

The recommendations of the RURC are still under consideration, and do not satisfy the advocates of 'all power' to an elected executive. The problem of the local bodies today is the inordinate delays which characterise their decisions and the need is for a machinery which can expedite decision making. Within the framework of democracy this power has to be exercised by the mayor with the help of a small committee. Under the circumstances, a more appropriate structure of the government of our cities could be as follows:

- (a) The municipal council should function purely as a deliberative organ, formulating general policies, codifying, approving and enforcing rules and bye-laws, and overseeing, administration of licences and management of municipal property. Its primary instrument of control should be approving of the annual budget and voting of measures of taxation. Sanction of the council should be required only for major capital projects costing say more than Rs. 5 lakhs or for raising of loans and debentures. Once the larger project or scheme is approved the responsibility for its implementation should be left to the executive.
- (b) The term of the mayor should be co-extensive with the term of the council as in the case of the chairman of a municipality, and he should be the head of a small executive or coordination committee as suggested by the Rural Urban Relationship Committee, which is charged with the management and general supervision of municipal government and responsible for the same to the higher authority. The executive committee would function as the link between the permanent executive and the council. Leaving the day-to-day administration and staff functions to the permanent head. It will exercise general control and scrutinise and consider in detail the proposals of the administration for legislation, budgetary approval, programmes and policies and submit them where necessary to the main council. It will also be the duty of its members to answer questions in the council under the general directions of the mayor/chairman.
- (c) The various committees, that may be set up should consist of members and prominent citizens having special interest in the area concerned, but their function should be only to advise and recommend but not to administer as at present. The executive committee may even consult research institutes or associations, voluntary organisations and pressure groups but all the

<sup>14</sup>*Rural-Urban Relationship Committee Report*, Vol. 1, New Delhi, Government of India. 1967, paras, 7.25 and 7.26.

advice given and recommendations made will be for the consideration of the council and its executive committee to help them to arrive at policy decisions in the light of enlightened and well-informed public opinion.

- (d) The municipal commissioner or the chief executive officer should be permanent head and all the principal officers should be responsible to the executive committee through the chief executive. He should control the entire establishment, exercising disciplinary powers and assessing the work of the departmental heads. He would coordinate the activities of the different departments and would be specially responsible for the financial management of the local authorities. He will have the responsibility of enforcing rules, bye-laws and other directions and policies of the council and of placing before the executive committee the various alternatives with technical and financial aspects in respect of the different problems. In other words, he will be the principal adviser of the council, although the ultimate decision will lie with the executive committee and the council. It is obvious that such an officer must have adequate experience of local administration, depending on the size and importance of the city the affairs of which he is called upon to handle. It is evident that in India we cannot depend on the supply of such expertise from the open market as is the case with the city managers in the United States. Therefore, there must be a standing cadre of administrative officers organised at the state level with possibilities of inter-state exchange so that it is possible to develop a career service for local government whose members are available for being posted to the different town and cities according to their seniority and experience.

#### THE PROBLEM OF AREA AND FUNCTIONS

The legal and political boundaries of cities do not usually take cognizance of the city as a socio-economic fact. "The metropolitan area has not been visualised as a single entity in government, although in economic and social affairs its unity has long been accepted.<sup>15</sup> The urban sprawl and ribbon development beyond the municipal limits is a common experience of all growing towns. In some cases the expansion is so large as to include a complex of authorities, with none in a position to deal with the common area problems of arterial highways, transport and communication, electric distribution, water supply and drainage, etc.

<sup>15</sup>H.F. Alderfer, *Local Government in Developing Countries*, New York, McGraw-Hill, 1964, p. 192.

The physical factors, legal jurisdictions and administrative, technical and financial limitations of the core city prevent its taking up common problems of a metropolitan area. The inevitable result of the process is that the state government steps in to undertake the broader areawide functions, through its own agency or through specially constituted single purpose authorities. The establishment of a separate Water Supply and Sewage Board for Bangalore and the Calcutta metropolitan water supply and sanitation authority are cases in point. Generally, however, there is complete lack of any organisation and the respective departments of the state government step in here and there creating fresh problems of coordination. The situation created by rapid urban expansion and the relative incapacity and failure of the urban and local authorities has resulted in an erosion of municipal autonomy and powers, apart from administrative confusion created by a melange of operating agencies. The powers and administrative organisation of our municipal bodies do not coincide with the economic and social facts of urbanisation. "Disintegrated local government in metropolitan areas results in unequalised services, in a disparity between need and fiscal ability...and in a dispersion and dissipation of political control of the development of social, economic and political institutions."<sup>16</sup>

A possible course sometimes adopted to deal with the question of government of metropolitan areas or town groups is the extension of the boundaries of the main city and annexation of potential urban areas under a single municipal authority. Some of the cities in India have adopted this course. For instance, the establishment of Delhi Corporation brought together under unified control a number of disjointed municipal bodies as well as rural areas of the union territory comprising about 300 villages. Similar action has been taken to include sizable rural areas within municipal limits in Poona, Kanpur, etc. On the other hand, the Calcutta Corporation had been reluctant to take over the adjoining areas and the Calcutta Metropolitan District covering an area of over 400 sq. miles has 35 municipal bodies apart from a number of rural local authorities. As the fringe areas are generally underdeveloped, their inclusion within the main city places a heavy burden on its resources, apart from being subjected to constant criticism of unequal standards of services in the different acceding localities. The Bombay Corporation after annexing adjoining areas kept separate budgetary accounts for these sub-standard wards, which continued to be differentially served by various municipal utilities. The position is similar in Delhi.

A growing difficulty against a policy of annexation arises from the increasing resistance on the part of local authorities in the outlying

<sup>16</sup>A report on Toronto metropolitan question (1953) quoted in Robson, *Great Cities of the World*, p. 62.



areas. To a recent proposal for the inclusion of Thana, Kalyan, Ullhasnagar, etc., which now form part of the Bombay urban complex, the respective local bodies reacted sharply and asked to be constituted into a city corporation area themselves. On the other hand, the state government found that even the area of the Corporation of Greater Bombay is not extensive enough to deal with the problems of planning and development of the metropolitan region and after appropriate amendments to the town planning law, a Metropolitan Regional Planning Board has come into existence with only the power of planning. There is also a proposal for a metropolitan and regional water supply organisation under the direct control of the state government.

Even where large areas and population in excess of about half a million have been brought together under a centralised municipal authority, it has become necessary to consider measures of decentralisation not only to ensure the effective performance of services and maintenance of municipal amenities but to overcome distance between the citizen and the administration. While the city council and its executive organs often seem remote, the citizen becomes apathetic to municipal matters. "It is difficult for local government to flourish in an atmosphere of indifference, suspicion and distrust."

The only sensible solution for such large urban areas is a two-tier system by bringing together existing units of local government under a common metropolitan council or a federation of local bodies with areawide functions that would otherwise remain unattended, such as planning, plan enforcement, development of water-supply, sewerage, electricity, trunk road, etc. In the case of very large central cities, it may be necessary to introduce a measure of decentralisation entrusting local powers to lower tier units but it is the metropolitan organisation that would be the corporate authority with the requisite financial powers and serving as the link between the local bodies and the state government. What is required is a process both of centralisation and decentralisation with a proper distribution of functions.

A number of cities have with advantage adopted a two tier system. An interesting experiment is the case of the city of Toronto and 12 adjoining local authorities, which were sought to be included into the city boundaries in 1951. A strong protest from these local bodies having then a total population of 4,67,000 as against Toronto's 6,67,000, led to the establishment in 1953 of an upper tier Metropolitan Council consisting of 12 representatives of the smaller units and 12 from the main city, presided over by a nominee of the Lt. governor of Ontario for the first two years—but who continued to be re-elected by the council in subsequent years. The local councils continued to undertake numerous activities while the metropolitan body was able to undertake extensive capital projects of planning and urban develop-

ment. The working of the experiment was recently reviewed and the lower tier authorities have been rationalised to a number of six.

Metropolitan Tokyo, the largest city in the world with population exceeding 10 millions, was the result of the consolidation of the City of Tokyo Prefecture in 1943 during war time under an appointed governor. Now it has an elected council of 120 with a governor elected every four years as the chief executive. Even so there are decentralised units consisting of 23 special wards which constituted the original city of Tokyo, and 10 cities, 22 towns and 10 villages.

A more recent example is that of the re-organisation of the Government of Greater London under the Act of 1963 following the Report of the Royal Commission of 1957-60. London already had for about 60 years a metropolitan two-tier organisation with 28 boroughs under a strong London County Council covering about 117 sq. miles. But London had expanded far beyond so that the area covered by the Herbert Commission's proposals included 118 local authorities extending over 620 sq. miles. These have been re-grouped together into 32 boroughs with a population range of 1,50,000 to 3,50,000. The redistribution of function has resulted in wider authority to the boroughs units which are better rationalised in respect of size and areas. Yet the Greater London Council "can look with a single eye at the entire metropolis in regard to such essential services as strategic planning, main highways and traffic regulation, housing and overspill, fire services and refuse disposal, sewage and the ambulance service... It avoids an extension of *ad hoc*ery.... It also avoids the futility and procrastination of joint committees or boards."<sup>17</sup>

There can be no ready-made solution for our metropolitan ills and it is never possible to transplant political institutions from one soil to another. Nevertheless, the problems of cities have so much in common the world over. It is time that instead of tinkering with the problems bold steps were taken to rationalise our local bodies in matter of size and an appropriate distribution of functions with an overall regional authority taking charge of broader areawide problems of trunk services involving heavy capital investment and a high level of expertise. The experience of other countries has shown that there is no other way. □

<sup>17</sup>W. A. Robson, *Local Government in Crisis*, *op. cit.*, p. 142.



The situation in Calcutta has deteriorated to such an extent that international, national, state and local financing, to improve its condition, will be necessary. Before such assistance (if at all available) is utilised, it is important to make detailed studies on different facets of local self-government in Calcutta Metropolitan District (henceforth to be termed as CMD).

#### ECONOMIC EFFICIENCY, NOT THE ONLY CRITERION

One of the basic problems relates to the organisation of the local government. In CMD, there are thirty-five municipalities, including Calcutta and one Cantonment (*see* Table 1, p. 98). A question may be asked whether so many separate municipalities should exist or some of them should be combined for economic efficiency. Those who are acquainted with the politics in this area should know that economic efficiency cannot be the only criterion for planning decisions. Community participation is a very important factor. So, the question may be asked as to what should be the optimum size of the municipality for which a given amount of community participation (appropriately defined) for the cost of operation of different services will be minimum. Again, there may be a number of services like water supply, sewage, transportation, etc., for which a regional authority may be the best type of administrative structure.

#### COST CURVES: POPULATION SIZE

One simple approach to this problem is to plot the cost of operation of different services, say conservancy, lighting, education, etc., against population for each town, and study the nature of each one of these curves. A hypothetical set of curves are shown in Fig. 1. It may be that a curve will have a minimum value at a certain value of the population. So, *on this cost consideration alone*, this population value will be the most efficient. Then, combining the individual cost curves, a total cost curve for all the services can be formulated and the optimum population size can be determined.

#### COMPROMISE DECISION ON OPTIMUM SIZE

At this point, the question of community participation may be considered. If the size of a municipality increases, then for some services, there may be some economies of scale. On the other hand, people may lose interest in the administration of the municipality. This may be reflected, say, in the percentage of people voting in the local elections or some other phenomenon. The problem is to strike a

TABLE 1 EXPENDITURE (IN RS.) BY THE LOCAL AUTHORITIES OF THE CALCUTTA METROPOLITAN DISTRICT ON DIFFERENT SERVICES PER THOUSAND POPULATION

	1961 Population (in '000)	Adminis- tration Expendi- ture	Lighting Expendi- ture	Conser- vancy Expendi- ture	Health and Sanitary Expendi- ture	Drainage Estab- lishment Expendi- ture	Total Public Health and Convenience Expendi- ture	Per Capita Receipts
1. Kanchrapara	57	284	208	1 339	118	398	2 607	4 000
2. Halisahar	35	466	255	2 494	434	221	4 151	6 550
3. Naihati	55	515	536	3 503	717	862	6 764	8 050
4. Bhatpara	135	221	433	2 081	516	1 519	5 541	7 410
5. Gurulia	28	377	298	2 275	388	284	4 817	7 450
6. North Barracopore	32	560	629	3 087	431	395	4 483	6 720
7. Barracopore	43	356	509	2 305	225	647	6 303	6 880
8. Titagarh	72	249	231	2 546	386	961	4 527	6 350
9. Khardah	19	496	848	1 338	581	41	3 929	9 640
10. Panihati	50	679	1 129	1 570	614	697	6 403	10 380
11. Kamarhati	77	373	427	3 174	471	642	6 499	9 180
12. North Dumdum	12	828	779	917	290	773	5 550	8 080
13. South Dumdum	61	554	511	1 729	1 098	554	5 235	8 800
14. Dumdum	14	1 231	713	3 543	413	585	19 271	23 790
15. Barangore	77	616	611	3 862	1 523	513	8 801	13 120
16. Garden Reach	109	668	401	2 656	705	345	8 635	14 370
17. Budge Budge	32	829	850	2 364	2 238	240	7 140	14 010

18. South Suburban	104	360	510	298	780	23	5 667	9 190
19. Barasat	16	277	548	3 218	17	147	6 036	7 260
20. Rajpur	16	270	629	1 384	94	192	3 295	5 870
21. Baruipur	9	234	391	1 971	415	324	3 678	6 660
22. Bansberia	31	287	419	2 237	354	293	8 580	9 850
23. Hoogly-Chinsura	57	351	749	5 213	193	501	8 211	12 010
24. Chandernagore	50	795	903	3 757	294	1 155	8 136	21 170
25. Bhadreswar	36	323	367	2 198	530	346	4 152	6 280
26. Champdany	32	304	649	3 018	263	498	5 593	30 040
27. Baidyabali	25	395	903	3 483	526	244	6 222	10 100
28. Serampore	75	603	444	2 630	464	2 235	7 385	10 320
29. Kishra	27	476	586	2 396	379	210	5 604	11 310
30. Konnagar	20	402	889	4 702	3184	1 392	10 550	14 260
31. Kotrung	14	401	1 121	4 344	265	12	5 393	8 620
32. Uttarpara	17	728	654	4 129	309	572	9 724	12 170
33. Bally	63	763	719	3 860	1604	1 137	10 278	14 020
34. Howrah	512	884	—	4 618	969	859	1 070	1 605
35. Calcutta	2 927	—	—	—	—	—	—	—
36. Barrackpore Cantonment	16	1 182	1 134	9 621	1 781	353	12 962	15 810

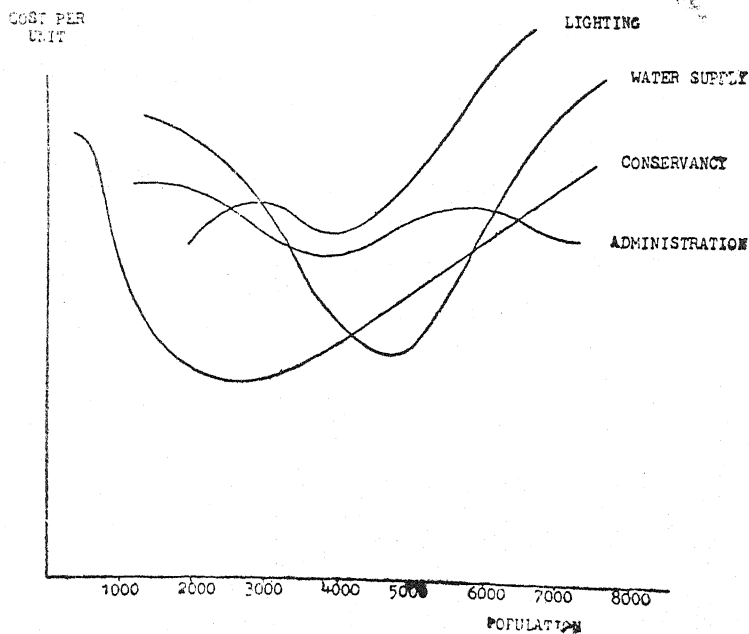


FIG. 1. UNIT COST OF SERVICES FOR DIFFERENT SIZE OF CITIES

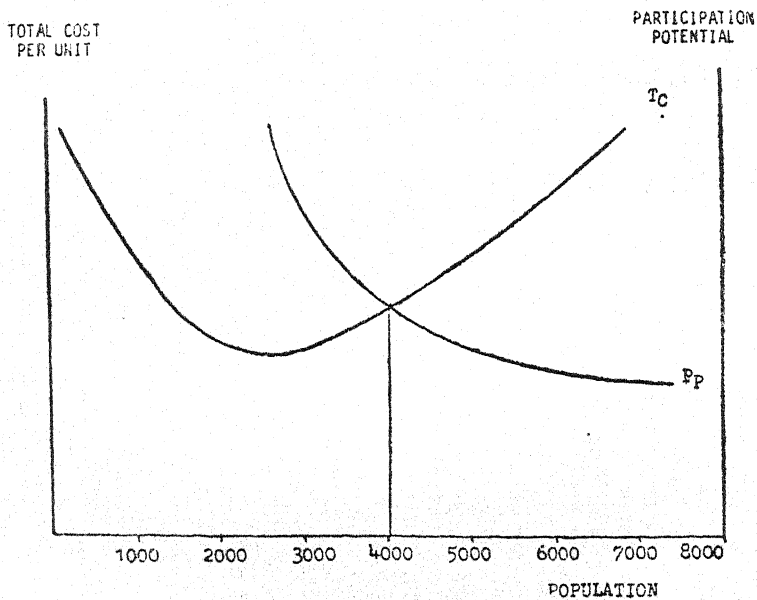


Fig. 2. TOTAL UNIT COST AND COMMUNITY PARTICIPATION

balance between the size variable and participation variable. In fact, in local government administration, greater weight should be given to participation variable and we may have to compromise with more than the minimum cost so that the system of democratic government takes deep root in our society. The community participation curve can be placed against the cost curve and a compromise decision about the optimum size can be made.

#### OBJECTIONS TO THE APPROACH

We are well aware of the fact that serious objections can be made to the approach. First of all, no two cities are identical and it may be wrong to standardise cities. They may differ in many characteristics, such as industrial composition, income, culture, social organisation, consumption patterns, etc. Secondly, all the services need not have equal weights and some form of weighting must be introduced into the problem in a valid analytical manner. A third objective may be the interdependence of different services, so that each cost curve is not independent. However, it is not intended to imply that this is the best approach.

#### NATURE OF PLANNING PROBLEMS

Another problem is how to coordinate best the overall planning in the rest of West Bengal and India with that of what is being done in Calcutta. If a number of projects are started for Calcutta, local authorities may be subjected to higher interest charges and it is worthwhile to study its impact on the tax structure and public reaction to it. Again, sometimes it is thought that planning problems in Calcutta are only of physical nature, namely, building a second bridge or a subway, etc. This may be true from a short term point of view. But from a long range planning objective, the socio-economic aspect is equally important. This aspect of socio-economic planning should be kept in mind in devising fiscal planning strategies.

Whatever the nature of the study, a thorough analysis of income and expenditure pattern of each service in Calcutta city and other municipalities, seems to be a prerequisite.<sup>3</sup>

#### FACTOR ANALYSIS

One approach will be to associate community characteristics with the community expenditure pattern and measure the percentage of

<sup>3</sup>For Calcutta City see M. Chatterjee, "Municipal Costs and Revenues in Calcutta Industrial Region", *Quarterly Journal of Local Self-Government Institute*, Bombay, Vol. XXXI, No. 3, 1966.



the expenditure explained by local characteristics. For example, we may say that income, employment, population, number of houses, area of the municipality, tax income, government subsidy, etc., are all important factors in explaining the variation in the expenditures of different communities. But all these variables are interrelated and it is difficult to isolate the effect of one single variable. In this situation, one powerful tool we can employ is the factor analysis. Suppose for example, we collect data<sup>4</sup> for each one of the variables shown in Table 2 for the municipalities in CMD. These variables are grouped under three heads: (a) expenditure variables, (b) income variables, and (c) demographic and other variables. The means and standard deviation for these variables are given in Table 3. The variables (b) and (c) together constitute community characteristics—many of them very similar to one another in relation to expenditure levels of the variables in (a). In factor analysis, we reduce the variables in (b) and (c) into a smaller number of community characteristics that are independent of one another and, therefore, can be compared in importance. For example, let us say that we can extract four factors out of thirty-three variables included in (b) and (c).<sup>5</sup> This does not imply that we are just grouping certain number of variables in their totality within a group. What factor analysis does essentially is that it gathers community characteristics only to the degree that they are correlated with another, i.e., only to the degree that they rise and fall together as one looks from one community to another.

The four hypothetical factors in our case may be termed as: (1) size of the community, (2) tax income from real estate, (3) tax income from service taxes, and (4) government subsidies. Using factor analysis, we can find out what per cent of variation in local-service expenditure can be explained by each one of these factors. When the importance of these factors is thus decided, they can be used for finding out the impact of each of these factors in the future decision-making. We did not have time or resources to conduct a factor-analysis study. Besides, we would like to add to (c) a number of variables, such as per cent industrial land, residential valuation, medium income, school enrolment, age structure, etc., so as to measure community characteristics truly. At this stage, we could not get the data.

<sup>4</sup>The data are collected from Abhijit Datta and David C. Ranney, *Municipal Finances in the Calcutta Metropolitan District: A Preliminary Survey*, Calcutta Research Studies No. 3 (Institute of Public Administration, New York), Bombay, Asia Publishing House, 1964.

<sup>5</sup>For factor analysis method see, Harry Harman, *Modern Factor Analysis*, Chicago, University of Chicago Press. For an application in the field of municipal finances see Robert C. Wood, *1400 Government*, Cambridge (Massachusetts), Harvard University Press, 1961.

TABLE 2 LIST OF VARIABLES

	<i>Symbols</i>
<i>A. Expenditure Variables</i>	
1. General administration expenditure (1960-61)	$E^A$
2. General administration and collection charges (1950-51) (percentage of total ordinary expenditure of major head)	$E_{p,51}^{AC}$
3. Total expenditure (general administration and collection charges) (1960-61)	$E^{AC}$
4. General administration and collection charges (1960-61) (percentage of total ordinary expenditure on major head)	$E_{p,61}^{AC}$
5. Expenditure on collection of taxes (1960-61)	$E^{CX}$
6. Lighting expenditure (1960-61)	$E^L$
7. Lighting (1950-51) (percentage of total ordinary expenditure on major head)	$E_{p,51}^L$
8. Lighting (1960-61) (percentage of total ordinary expenditure on major head)	$E_{p,61}^L$
9. Drainage establishment (1960-61)	$E^D$
10. Drainage (1950-51) (percentage of total ordinary expenditure)	$E_{p,51}^D$
11. Drainage (1960-61) (percentage of total ordinary expenditure on major head)	$E_{p,61}^D$
12. Conservancy (1960-61)	$E^C$
13. Conservancy (1950-51) (percentage of total ordinary expenditure on major head)	$E_{p,51}^C$
14. Conservancy (1960-61) (percentage of total ordinary expenditure on major head)	$E_{p,61}^C$
15. Health, sanitary, etc. (1960-61)	$E^H$
16. Sanitation medical relief (1950-51) (percentage of total ordinary expenditure on major head)	$E_{p,51}^H$
17. Sanitation medical relief (1960-61) (percentage of total ordinary expenditure on major head)	$E_{p,61}^H$
18. Total public health and convenience, etc. (1960-61)	$E^{HC}$
19. Roads (1950-51) (percentage of total ordinary expenditures on major head)	$E^R$
20. Roads (1960-61) (percentage of total ordinary expenditure on major head)	$E_{p,61}^R$
21. Education (1950-51) (percentage of total ordinary expenditure on major head)	$E^E$
22. Education (1960-61) (percentage of total ordinary expenditure on major head)	$E_{p,61}^E$
23. Water supply (1950-51) (percentage of total ordinary expenditure on major head)	$E_{p,51}^W$
24. Water supply (1960-61) (percentage of total ordinary expenditure on major head)	$E_{p,61}^W$

	<i>Symbols</i>
25. Public instruction—contributions (1960-61)	$E^{EC}$
26. Total expenditure (1960-61)	$E$
27. Total (ordinary) expenditure (1950-51)	$E_{51}$
28. Per capita ordinary expenditure (1960-61)	$E_p$
29. Expenditure on public works (1960-61)	$E^{PW}$
30. Extra ordinary and debt (1960-61)	$E^D$

*B. Income Variables*

1. Water supply—income (1960-61)	$I^W$
2. Lighting—income (1960-61)	$I^L$
3. Conservancy—income (1960-61)	$I^C$
4. Government grants—subventions (1960-61)	$I^{GS}$
5. Government grants—M.U. tax (1960-61)	$I^{MW}$
6. Grants and contributions—total (1960-61)	$I^G$
7. Per capita government grants (1960-61)	$I^G$
8. Total ordinary income (1960-61)	$I^P$
9. Extraordinary debt (1960-61)	$I^D$
10. Total receipts (including opening balance) (1960-61)	$I^R$
11. Per capita ordinary income (1960-61)	$I_p$
12. Number of rate-payers (1963)	$N$
13. Rates and taxes—houses and land (1960-61)	$I_H$
14. Rates and taxes—miscellaneous (1960-61)	$I_m$
15. Rates and taxes—total (1960-61)	$I_r$
16. Per capita taxation (1960-61)	$T/P$
17. Percentage of rate-payers (1963)	$N_p$
18. Outstanding balance as % of col. 6 (total demand) (1960-61)	$B_p$
19. Rates levied on annual value—holding (1963) (per Rs. 100)	$r_H$
20. Rates levied on annual value—conservancy (1963) (per Rs. 100)	$r_c$
21. Rates levied on annual value—lighting (1962) (per Rs. 100)	$r_L$
22. Closing balance (1960-61)	$B$

*C. Demographic and Other Variables*

1. Area square miles	$A$
2. Population (1951)	$p^{51}$
3. Population (1961)	$P$
4. Percentage growth in population (1941-51)	$G^{41-51}$
5. Percentage growth in population (1951-61)	$G^{51-61}$
6. Density of population (1951)	$D^{51}$
7. Density of population (1961)	$D^{61}$
8. Total votes against Congress party (1952) (percentage)	$V_{52}$
9. Total votes against Congress party (1957) (percentage)	$V_{57}$
10. Occupied houses (1951)	$H$
11. Age of the municipality in 1961	$A^G$

TABLE 3 MEAN AND STANDARD DEVIATION OF THE VARIABLES

<i>Variable Number</i>	<i>Mean</i>	<i>Standard Deviation</i>
<i>A. Expenditure Variables</i>		
1	21 619.968 7	15 801.293 0
2	11.716 1	2.653 3
3	63 565.558 6	57 416.972 7
4	13.273 5	4.471 6
5	39 960.793 0	44 722.054 7
6	24 704.351 6	15 647.121 1
7	4.340 9	3.309 3
8	6.277 6	2.179 2
9	30 886.468 7	44 334.531 2
10	5.601 2	3.905 6
11	7.077 3	7.765 4
12	127 540.669 7	92 059.750 0
13	33.377 5	13.042 1
14	29.918 1	11.341 4
15	32 719.437 5	31 215.625 0
16	8.219 7	7.046 9
17	8.133 8	8.099 4
18	299 766.242 4	227 302.232 1
19	11.086 7	9.121 1
20	8.931 4	6.815 5
21	7.045 3	8.367 9
22	7.618 2	8.475 4
23	7.730 6	8.767 6
24	8.810 9	6.966 8
25	41 770.058 6	89 333.125 0
26	452 729.909 1	343 239.175 1
27	352 965.2	
28	7.316 8	3.875 1
29	60 843.320 3	82 736.062 5
30	70 797.562 5	
<i>B. Income Variables</i>		
1	52 096.175 8	89 552.000 0
2	32 814.851 6	25 709.378 9
3	90 067.250 0	76 346.687 5
4	81 379.500 0	
5	13 329.734 4	53 982.972 5
6	96 059.375 0	
7	1.668 8	2.786 1
8	477 703.545 5	366 541.795 8
9	50 434.644 5	51 047.472 7
10	884 026.4	
11	7.717 6	4.375 6
12	7 572.144 5	8 296.863 3
13	139 020.393 9	121 035.892 5

<i>Variable Number</i>	<i>Mean</i>	<i>Standard Deviation</i>
14	33 768.910 2	31 755.890 6
15	351 574.697 0	290 806.276 9
16	5.351 2	2.448 3
17	11.955 8	7.154 4
18	38.174 0	17.507 0
19	7.911 8	1.627 0
20	6.632 4	1.614 6
21	2.163 5	0.759 5
22	72 198.750 0	80 990.312 5

*C. Demographic and Other Variables*

1	3.922 6	2.444 7
2	44 601.675 8	30 711.445 3
3	64 372.203 1	42 813.039 1
4	39.411 8	30.006 2
5	50.573 4	41.608 9
6	15 192.410 2	13 167.488 3
7	20 286.203 1	14 963.933 6
8	55.647 0	13.080 0
9	59.735 3	7.081 0
10	10 313.968 7	8 312.101 6
11	73.647 0	42.704 0

ALTERNATIVE APPROACH : LIMITED OBJECTIVES

As a result, we have taken an alternative approach and confined ourselves to a limited objective. We have identified a number of dependent and independent variables and run a regression analysis with appropriate independent variables. One of the crucial variables is population of the community. If the value of the population at a future date is known then the required expenditure on a specific service can be estimated (assuming we remain at the level of 1960 services quality).

EQUATIONS

The first dependent variable considered is expenditure on public health and conveniences. This includes conservancy, health and sanitary, market pounds and public works. *Equation 1* (see Appendix) gives the relationship of this variable to population in each town. It will be seen from that relation that regression coefficient is significantly different from zero and the correlation is high. When we introduce an additional variable, namely, area of each town, the regression coefficient of the population variable is slightly changed, but we get a negative coefficient for the area. This means higher the area of a town lower the expenditure level.

This apparent contradiction can be explained by saying that the

system of income and expenditure in CMD is not at an equilibrium state and that higher area means lower density and less expenditure. When we consider the age of the municipality and want to find out whether it has any effect on the expenditure, we see from *Equation 3* that it did not improve the situation much. The regression coefficient for the new variable is found to be statistically insignificant. If we have some idea about the total expenditure and want to know how much of it has to be spent on public health and conveniences, *Equation 4* can be used.

Let us next divide this expenditure into its constituent parts. Consider the expenditure on conservancy. This relationship with population is given by *Equation 5* which has a significant regression coefficient and a high correlation. When we introduce the area and age of the municipality, the resulting *Equation 6* shows that the last variable is insignificant but area variable has a negative sign. This may mean that the amount of money available for conservancy is more or less decided and that larger area implies inferior service. The relationship between conservancy expenditure and total expenditure is given by *Equation 7*.

In the case of health and sanitary services, the population comes out as the only significant explanatory variable : area and age variables do not seem to have any significant effect in *Equations 8-10*. As before, the relation between total expenditure and health and sanitary expenditures is given by *Equation 11*.

In the case of drainage establishment expenditure, the same conclusion, follows. The population is an important variable but the correlation is not that high (*Equation 12*). Including 'area' variable, the correlation increases a little and it becomes a significant variable although remaining negative (*Equation 13*). Inclusion of age variables does not change the situation (*Equation 14*). The relationship between public works expenditure and total expenditure is given in (*Equation 15*). Data for the water supply expenditure were incomplete. Hence, we could not have any relationship between this and related variables.

We next turn our attention to the expenditure in general administration. It is seen from (*Equation 16*) that about 5 per cent of the total expenditure is spent on this item of expenditure. If collection charges are included then it is 15 per cent (*Equation 17*). As such, the collection charges are about 10 per cent (*Equation 18*). The relationship between expenditure in: (i) collection charges, (ii) administration, and (iii) collection charges plus administration are given by *Equations 19-21*. In all cases, the regression coefficients are significant and the correlation coefficients are high. If the population of any town is known and we are interested in estimating the three different heads of expenditure then *Equations 22-24* can be used. If we introduce the number of houses as an additional variable, besides population, then from *Equation 25*, it is seen that the variable has a negative sign while not quite signifi-

cant. Same is true when we include the 'area' variable (*Equation 26*). However, from *Equation 27* it is clear that the relationship between administration expenditure and the number of houses is a positive one. It is to be noted in this connection that the number of houses refers to the year 1951. When we relate the expenditure on lighting to the total expenditure, we see from *Equation 28* that it is only 4 per cent of it. The relationship with population and housing variables are given in *Equations 29-31*. It is seen from these equations that, although the sign of housing variables is positive, it is not significant, while the correlation coefficients are reasonably high. If we know the total income of a municipality then the income from taxes on lighting and conservancy taxes are given by *Equations 32 and 33* respectively. If we have estimates of total tax income and we want to find lighting and conservancy income we can use *Equations 34 and 35*. In all these cases, the regression coefficients are significant and the correlation coefficient is high.

On the other hand, if we have information on income received under different items like house tax, and conservancy tax, and we wish to estimate the total income, we can use *Equations 36-40* for this purpose. They can also be used simultaneously through *Equation 41* or *42*. If we have different tax rates and want to find out their relationship with the total income *Equation 36* can be used. *Equation 43* gives the relationship of government grants to total income where the relationship of per capita taxation and the number of taxpayers with the total income, is given by *Equation 44*.

#### NOT UNSATISFACTORY

At the end, a few remarks seem to be in order. All the above equations have been estimated on the basis of cross section data for the first thirty-three towns (see Table 1), so the relationships should be taken as an average one. If we square the correlation coefficients, we shall get coefficient of determination which will give the percentage of total variance explained by the independent variables. Admittedly, this is low in many cases. But for cross-section estimation, it is not unsatisfactory. The possible existence of auto and spurious correlations should also be kept in mind.

#### SOPHISTICATED TECHNICAL APPROACH NECESSARY

It is not intended to imply in this paper that this is the only approach possible. A great many ways are open to us. The objective was to emphasise the need of more sophisticated technical approach in analysing municipal finances. We hope more powerful comprehensive 'models' will be forthcoming in the future to facilitate improved urban and municipal research in India.

Appendix

LIST OF EQUATIONS

(Figures in parentheses denote the standard error of the regression coefficient)

(a) *Total Public Health Convenience Expenditure, 1960-61*

(Water Supply+Drainage+Conservancy+Health Sanitary+  
Market pounds+Public Works)

$$E^{HC} = 1\,253.952\,7 + 4.535\,9\,P \\ (0.503\,2) \\ R = 0.850\,8 \quad \dots (1)$$

$$E^{HC} = 64\,354.798\,5 + 5.290\,5\,P - 28\,202.896\,0\,A \\ (0.497\,7) \quad (8\,688.947\,8) \\ R = 0.892\,0 \quad \dots (2)$$

$$E^{HC} = 120\,724.616\,2 + 5.267\,5\,P - 26\,513.350\,0\,A \\ (0.491\,8) \quad (8\,675.933\,0) \\ -906.465\,8\,A^G \\ (684.296\,9) \\ R = 0.898\,5 \quad \dots (3)$$

$$E^{HC} = 22\,712.300\,0 + 0.612\,0\,E \\ (0.045\,5) \\ R = 0.924\,1 \quad \dots (4)$$

(b) *Conservancy Expenditure, 1960-61*

$$E^C = 4\,948.719\,6 + 1.862\,8\,P \\ (0.206\,9) \\ R = (0.850\,6) \quad \dots (5)$$

$$E^C = 30\,816.946\,3 + 2.120\,2\,P - \\ (0.218\,8) \\ -9\,556.321\,8\,A \quad 67.619\,8\,A^G \\ (3\,859.908\,5) \quad (304.442\,6) \\ R = 0.879\,8 \quad \dots (6)$$

$$E^C = 20\,676.510\,7 + 0.236\,0\,E \\ (0.024\,3) \\ R = 0.867\,7 \quad \dots (7)$$

(c) *Health and Sanitary Expenditure, 1960-61*

$$E^H = 1\,160.481\,4 + 0.481\,5\,P \\ (0.101\,7) \\ R = 0.647\,7 \quad \dots (8)$$

$$E^H = 7\,004.437\,8 + 0.551\,4\,P - 2\,611.953\,8\,A \\ (0.113\,7) \quad (1\,985.029\,00) \\ R\,0.671\,8 \quad \dots (9)$$



$$\begin{aligned}
 E^H &= 8\,287.358\,8 + 0.550\,9\,P \\
 &\quad (0.115\,7) \\
 &\quad -2\,573.501\,4\,A - 20.630\,26\,A^G \\
 &\quad (2\,040.562\,6) \quad (160.945\,3)
 \end{aligned}
 \qquad \dots (10)$$

$$\begin{aligned}
 E^H &= 5\,895.514\,0 + 0.059\,5\,E \\
 &\quad (0.012\,7) \\
 R &= 0.644\,8
 \end{aligned}
 \qquad \dots (11)$$

*(d) Expenditure in Drainage Establishment, 1960-61*

$$\begin{aligned}
 E^D &= -4\,777.556\,8 + 0.553\,5\,P \\
 &\quad (0.160\,4) \\
 R &= 0.526\,9
 \end{aligned}
 \qquad \dots (12)$$

$$\begin{aligned}
 E^D &= 13\,878.636\,7 + 0.776\,6\,P - 8\,338.378\,0\,A \\
 &\quad (0.162\,5) \quad (2\,836.674\,7) \\
 R &= 0.662\,7
 \end{aligned}
 \qquad \dots (13)$$

$$\begin{aligned}
 E^D &= 11\,668.491\,3 + 0.777\,5\,P - 8\,404.621\,7\,A \\
 &\quad (0.165\,3) \quad (2\,915.659\,6) \\
 &\quad + 35.540\,7\,A^G \\
 &\quad (229.966\,8) \\
 R &= 0.663\,0
 \end{aligned}
 \qquad \dots (14)$$

*(e) Total Expenditure on Public Works, 1960-61*

$$\begin{aligned}
 E^R &= -9\,590.949\,5 + 0.158\,6\,E \\
 &\quad (0.033\,2) \\
 R &= 0.651\,0
 \end{aligned}
 \qquad \dots (15)$$

*(f) Expenditure in General Administration, 1960-61*

$$\begin{aligned}
 E^A &= 2\,739.915\,5 + 0.041\,9\,E \\
 &\quad (0.033\,7) \\
 R &= 0.896\,3
 \end{aligned}
 \qquad \dots (16)$$

*(g) General Administration and Collection Charges, 1960 61*

$$\begin{aligned}
 E^{AC} &= -4\,980.801\,0 + 0.153\,6\,E \\
 &\quad (0.012\,7) \\
 R &= (0.908\,4)
 \end{aligned}
 \qquad \dots (17)$$

$$\begin{aligned}
 E^C &= -661\,6.390\,5 + 0.104\,7\,E \\
 &\quad (0.014\,3) \\
 R &= 0.796\,2
 \end{aligned}
 \qquad \dots (18)$$

$$\begin{aligned}
 E^A &= 7\,598.155\,5 + 0.218\,5\,E^{AC} \\
 &\quad (0.030\,4) \\
 R &= (0.790\,6)
 \end{aligned}
 \qquad \dots (19)$$

$$\begin{aligned}
 E^A &= 12\,895.719\,9 + 0.215\,9\,E^C \\
 &\quad (0.050\,7) \\
 R &= 0.607\,6
 \end{aligned}
 \qquad \dots (20)$$

$$E^{AC} = 14\,009.165\,0 + 1.238\,6\,E^C$$

(0.061 6)

..... (21)

$$E^A = 2\,579.181\,4 + 0.290\,6\,P$$

(0.042 9)

..... (22)

$$E^C = 2\,657.139\,9 + 0.579\,5\,P$$

(0.159 2)

..... (23)

$$E^{AC} = 3\,146.965\,4 + 0.932\,9\,P$$

(0.178 0)

..... (24)

$$E^A = 6\,622.546\,5 + 0.338\,9\,P - 1\,807.180\,4\,H^{51}$$

(0.045 6)                      (795.703 5)

..... (25)

$$E^A = 16\,039.005\,0 + 0.337\,0\,P - 1\,665.420\,1\,H^{51}$$

(0.045 3)                      (798.361 3)

-76.056 4 A

(62.969 2)

..... (26)

$$E^A = 7\,948.834\,2 + 1.302\,1\,H^{51}$$

(0.255 8)

..... (27)

(h) *Lighting Expenditure, 1960-61*

$$E^L = 6\,944.009\,9 + 0.039\,6\,E$$

(0.004 3)

..... (28)

$$E^L = 4\,290.144\,3 + 0.331\,0\,P$$

(0.036 0)

..... (29)

$$E^L = 10\,294.224\,8 + 1.382\,0\,H^{51}$$

(0.236 0)

..... (30)

$$E^L = 4\,312.752\,1 + 0.292\,4\,P + 0.126\,2\,H^{51}$$

(0.066 8)                      (0.342 7)

..... (31)

(i) *Income*

$$I^L = 8\,068.827\,4 + 0.052\,5\,I$$

(0.008 6)

..... (32)

$$I^C = 16\,649.822\,5 + 0.156\,6\,I$$

(0.025 0)

..... (33)

$$I^L = 7\,269.596\,9 + 0.073\,7\,r \quad (0.009\,1) \quad \dots (34)$$

$$I^C = 18\,130.198\,9 + 0.208\,6\,r \quad (0.029\,4) \quad \dots (35)$$

$$I = 118\,127.882\,0 + 8\,867.281\,0\,r_C - 131\,036.845\,8\,r_L \quad (25\,353.229\,4) \quad (53\,463.650\,6) \\ + 18\,453.490\,8\,r_H + 6.607\,24\,P \quad (24\,604.859\,4) \quad (0.983\,3) \\ R = 0.814\,4 \quad \dots (36)$$

$$I = 115\,177.104\,0 + 2.607\,7\,I_H \quad (0.276\,6) \\ R = 0.861\,1 \quad \dots (37)$$

$$I = 132\,128.865\,0 + 10.420\,1\,I_L \quad (1.701\,7) \\ R = 0.739\,9 \quad \dots (38)$$

$$I = 153\,662.409\,0 + 3.542\,3\,I_C \quad (0.569\,8) \\ R = 0.744\,9 \quad \dots (39)$$

$$I = 197\,111.544\,1 + 8.209\,8\,I_m \quad (1.420\,2) \\ R = 0.720\,3 \quad \dots (40)$$

$$I = 58\,601.995\,9 + 1.991\,2\,I_H - 0.375\,28\,I_L \quad (0.349\,6) \quad (2.311\,01) \\ + 1.691\,5\,I_C \quad (0.700\,9) \\ R = 0.900\,8 \quad \dots (41)$$

$$I = 33\,805.078\,2 + 2.007\,9\,I_H - 2.013\,77\,I_L \quad (0.282\,6) \quad (1.911\,7) \\ + 0.979\,8\,I_C + 4.152\,17\,I_m \quad (0.593\,4) \quad (1.026\,3) \\ R = 0.938\,6 \quad \dots (42)$$

$$I = 313\,133.923\,2 + 1.672\,3\,I^G \quad (0.398\,5) \\ R = 0.602\,0 \quad \dots (43)$$

$$I = 71\,990.453\,97 + 77\,219.704\,5\,(T/P) \quad (21\,317.482\,1) \\ + 18.224\,8\,N \quad (6.271\,6) \\ R = 0.628\,3 \quad \dots (44)$$

## COMMENTS\*

G.C. Singhvi

Shri Chatterji deserves to be congratulated for conducting a highly valuable econometric study, particularly because he has highlighted the significance of urban planning which unfortunately has not, so far, been accorded the priority it ought to have been. He sounds very realistic indeed when he warns that unless immediate attention is given to the problems in Indian cities, we will have to face an urban crisis in the not too distant a future.

"The situation in Calcutta in particular," runs Shri Chatterji's thesis, "is at the breaking point and at any time it might lead to a catastrophe not only for the problem state of West Bengal but also to India as a whole". This laudable observation reminds me of an article which appeared in *Imprint* of November 1968. This was entitled "Can India Survive Calcutta?" and had been authored by Mr. Joseph Lelyveld, who, in 1968, was the *New York Times* correspondent in New Delhi.

Calcutta is not one disaster but many, each breeding its own kind of despair, its own special nightmare. The city planner scans the decaying water, sanitation and transport systems and holds out the prospect of total failure, a breakdown so complete that people would flee as if running from war or plague. The sociologist talks of the frayed fabric of society coming apart altogether, the economist of a depression so deep that there could never be any recovery. The political analyst resorts to words like 'anarchy' and 'nihilism' and asks whether Indian democracy can survive the erosion of faith that is taking place here.

Mr. Lelyveld makes number of other valuable points in the article and further observes:

Rubbing treacle in Calcutta's wounds, a brochure says, 'The city represents man's unfailing hope for a better life'. Whatever that is supposed to mean, it's obvious that 'unfailing hope' is no answer to a disaster.

The answer, in a way, has been provided by Shri Chatterji. "Obviously", as he puts it, "financial resources are the deciding factor". "The situation in Calcutta has deteriorated to such an extent that international,

\*From *Indian Journal of Public Administration*, Vol. XVII, No. 1, 1971, pp. 136-8.

national, state and local financing to improve its condition will be necessary." And it is for utilising such assistance (if at all available) that Shri Chatterji has made this detailed study.

The study is indeed excellent as far as it goes, but for improving the lot of Calcutta, I am afraid, it may not go too far. Again, to quote Mr. Joseph Lelyveld :

More staggering in its way than the squalor of Calcutta is its dislocation. The city is a great machine whose gears always grind, never mesh. Obviously, there is no shortage of the manpower required to build new schools, lay new streets, dig the ditches for the missing water mains and sewers, or simply clear away the great mounds of garbage that accumulate in the streets. What is missing is the ability to relate the effort to the need. The missing ability to relate seems even more basic to the city's predicaments than any missing funds.

And one of the reasons which account for this 'missing ability', to my mind, is that the Government of West Bengal has so many problematic districts on their hands that they can hardly do any justice to administering of the rapidly changing and unimaginably expanding city of Calcutta. And if they venture to attempt a concentration on the city of Calcutta, it shall be at the cost and to the detriment of the districts of West Bengal. This in itself is an urban political challenge.

In Calcutta, the 'sprawling leviathan of a city', as a rule, everything seems to be 'increasing to an alarming extent' day by day. Exceptions to this rule are, paradoxically though, peace and tranquillity, security and order, and cleanliness and sanitation. The population of Calcutta is increasing. Congestion is increasing. Accumulation of debris is increasing. Diseases are increasing. Number of automobiles is increasing. Traffic jams are increasing. Traffic hazards are increasing. Fire hazards are increasing. Health hazards are increasing. And on top of it all, laxity in the administration of the Calcutta City Corporation is increasing. All these increases constitute an urban sociological challenge of a very great magnitude.

To meet all these urban socio-political challenges posed by an otherwise progressive and prosperous city of Calcutta, should the nation not think in terms of expanding the Calcutta City Corporation in such a way as would be tantamount to constituting the city of Calcutta into a city state with all the powers and functions which, legitimately belong to a state under the Constitution of India? It is very likely that the government of the city state of Calcutta would be able to look after the cosmopolitan city of Calcutta and its innumerable and apparently insurmountable problems.

# Finances of Local Governments in India\*

M.J.K. Thavaraj

**L**OCAL GOVERNMENT is deeply rooted in Indian history. The excavations in Mohenjodaro and Harappa speak volumes of the organised urban life in ancient times. How cities like Pataliputra were administered is amply described in the annals of history. Indian experience may not be comparable to the city states of ancient Greece or Sparta. But municipal governments flourished in ancient and medieval India while the panchayat form of self-governance was widely prevalent in rural areas. The village panchayats might have had a caste overtone and the cities may not have enjoyed the statutory basis similar to those extended to medieval cities in western Europe. Within the feudal or semi-feudal structures prevalent in those days, local governments offered a stable basis of organised life at the local level. This grassroot system of decision-making in matters affecting the lives of the people within their immediate environment had shown remarkable continuity and stability despite frequent changes of power at the superstructural level and redrawing of the boundaries of the political map of India.

The national consciousness which was growing during the British rule and the revivalist tendencies associated with the liberation struggle looked at the Indian tradition in grassroot democracy with pride and satisfaction. Liberal ideas that had grown with modern education created an appreciation of the importance and need for local self-government. Jawaharlal Nenru regarded local self-government as the basis of a true system of democracy. Decentralisation is both a method of administration and a way of life. In a federal democracy, local level provides a third layer in the framework of government. But the local governmental system introduced under the British rule was not built on indigenous foundations. It was more in the nature of an attempt to transplant the British concept and system of local government to Indian soil than a revival or resurrection of the Indian brand of local democracy. But a good deal of traditional local taxation was retained.

The local governments of today are a curious mixture of indigenous and western elements. Perhaps they were consciously developed to offer

\*From *Indian Journal of Public Administration*, Vol. XXIV, No. 3, 1978, pp. 617-639.

limited opportunities to the rising middle classes to participate in the government at the grassroots. Indian involvement at the other levels of administration was largely in the nature of employment rather than of popular political participation. No doubt, the educated middle class was clamouring for greater opportunities for employment at the higher echelons of administration as well as for participation in the political process. But political involvement at the provincial and central level did not materialise till after World War I. Local self-government was the only avenue for any such participation.

#### EVOLUTION OF LOCAL GOVERNMENT UNDER BRITISH RULE

Local government as is known today was first introduced in the city of Madras when Sir Josia Childs obtained a charter from the British Emperor, James II, to set up a local town council on British lines at Madras which was formally inaugurated in 1688. Bombay and Calcutta followed suit. But only in 1793 was a statutory backing given to municipal administration. The administrative set-up and design of local finances were mainly modelled after the British system of local governments. A comprehensive legislation for the introduction of municipal administration throughout India was passed in 1850.

Centralisation was the tenor of British administration in India. But in the sphere of finance, centralisation gave rise to irresponsibility on the part of provincial governments and waste and inefficiency. The local self-government introduced in the presidency capitals and mofussil towns was to create local responsibility for providing civic amenities under the legislation enacted in 1842. They were also empowered to levy a house-tax. The Act of 1850 which was applicable to the whole of India provided for the levy of indirect taxes by these bodies. Octroi was the mainstay of indirect taxation. Municipal rates and cesses were the other important sources. But these resources were far too inadequate to meet the basic needs of civil amenities. The municipal committees set up under the Act had to work under so many limitations and the scope for self-government was more illusory than real.

Mayo's scheme of 1870 brought about some change in the framework of local self-government. According to the Local Finance Enquiry Committee of 1951, local self-government as a conscious process on administrative devolution and political education dates from the financial reforms of Lord Mayo's government. While commenting on the Mayo's resolution, the Taxation Enquiry Commission of 1953-55 observed:

There was, however, no comparable development of local self-governing institution in rural areas up to the year 1871, when Lord

Mayo introduced his scheme for the decentralisation of administration. The scheme had a stimulating effect on the development of local self-governing institutions in the rural areas. Both types of committees, urban and rural, it may be added, were largely nominated and official. It was implicit in decentralisation, as then conceived, that the emphasis was on the 'local' rather than on the 'self-government' aspects of the local self-government.

By 1880, the principle of local self-government had been put into practice only in the cities of Calcutta and Bombay and in a few towns of Central India and the North West Province. In other places, local administration and taxation were under the control of government servants.

Lord Ripon's resolution 1882 on local self-government was a new landmark in the evolution of local self-government in India. The resolution recognised the growth in the number of municipalities and their finances. But in terms of the enormous potential, the realised growth was but nominal. The Ripon resolution expanded the functions of local self-government by including aspects of public health, medical relief and education. Their sources of finance were also enlarged. These extra items of revenue and expenditure were transferred from the provincial budget and account heads to those of the local bodies. The growth of local government in the next 37 years or so was based on the Ripon scheme. There was a substantial increase in the number of municipalities during this period. A large number of district and local boards had also sprung up in the countryside. In general, the local bodies were severely constrained by the system of sanctions and financial controls exercised by the government. No fresh taxes could be imposed; no loan could be raised; no work of importance could be undertaken; and no reappropriations could be made without prior approval. Any deviation from the budget was frowned upon by the government which wanted to keep local finances under short leash.

The Decentralisation Commission of 1907-09 examined the entire subject of local self-government as part of its review of the financial and administrative relations between the central and provincial governments. Based on the evidence gathered, the Commission commented how inadequate the resources placed at the disposal of the local bodies were for a proper execution of the duties assigned to them. The resolution of 1915 that followed made specific reference to the smallness and inelasticity of local revenues and the difficulties involved in designing new forms of taxation. Local self-government became a provincial subject under the Government of India Act of 1919 which laid down a schedule of taxes which could be levied only by or for the local bodies. The items reserved for the local bodies were: tolls, tax on land and land



values, tax on menial and domestic servants, tax on animals, octroi, terminal tax, tax on trades, professions and callings, tax on private markets, charges and fees for rendering various services such as water supply, lighting, drainage provision of markets and other public conveniences. Nevertheless, the Taxation Enquiry Committee of 1925 which examined the problems of taxation at various levels of government was convinced that the finances of the local bodies all over the country were inadequate for the services which they had to perform.

Provincial autonomy envisaged under the Government of India Act of 1935 was expected to give further impetus to the development of local government. Under the new arrangement, almost all the provinces enacted legislation for further democratisation of local bodies. But the 1935 Act repealed the scheduled taxes and rules introduced under the 1919 Act. Local government was not accorded a constitutional status. There was no separate list of revenue and expenditure relating to local government in the constitution or in its schedules. Local bodies had to derive their powers from the provincial legislature. Consequently, provincial autonomy did not bring about any noticeable improvement in the finances of the local bodies. In fact, the great depression of the thirties engulfed the entire capitalist world and led to the emaciation of the public finances of the metropolitan economies and those of their colonial appendages. Consequently, there was a shrinkage of the finances of the local bodies while their functions were enlarged. The terminal tax was included in the federal list and the demarcation between local and state taxes was done away with. According to the Local Finance Enquiry Committee of 1951, the charges envisaged under the 1935 Act were, on the whole, unfavourable to the local authorities because certain provincial governments had utilised certain sources of revenue which were formerly recognised as purely local taxes. This created new problems in designing an adequate and satisfactory system of local taxation. Paucity of finance affected the usefulness and effectiveness of the local bodies. Fresh proposals of taxation were subject to the prior approval of the provincial government. The weakening of the financial base of the local bodies led to their increasing dependence on grants-in aid from provincial governments.

Independence was expected to infuse vitality and strength to local governments. But there is no separate list in the Indian constitution exclusively for local governments. The position was not basically different from what obtained under 1935 Act. As observed by the Taxation Enquiry Commission of 1953-55:

There are no taxes which are constitutionally reserved for local bodies. The States may assign any of the taxes on the State list either in whole or in part to local bodies—this enables the State Government

to exercise a degree of supervision and control over the affairs of the local bodies.

This is more or less the situation in other federations. In Canada, the municipalities derive their incorporation with its associated powers, fiscal and otherwise, from the provincial governments concerned. In Australia, the system of local government is based on the principle of grant of specific powers by the state legislature to them. In the United States, the states are, by law, the complete masters of the local governments. There, the concept is based on 'Dillon's Rule' after Justice Dillon of the Supreme Court of Iowa who declared:

Municipal corporations owe their origin to, and derive their powers and rights wholly from, the (state) legislature. It breathes into them the breath of life, without which they cannot exist. As it creates, so it may destroy, if it may destroy, it may abridge and control.

This is very true of local governments in India. They are financially and politically dependant on the state government. During the last few years many of the local governments were superseded; bureaucratic elements dominate many of them; most of them are financially anaemic and politically subservient to certain dominant classes and narrow sections of the population. The quality and volume of civic services deteriorated during this period in several places and localities.

In a way, the problem of state-local financial relations is similar to that of the centre-state financial relations in miniature. It is also true that the narrowness of the circumstances of state governments has severely constrained their ability to straighten out and strengthen local finances.

The states have had the initial disadvantage of losing some of the lucrative tax heads. The ones which were entrusted to them were not elastic or buoyant. Their power of independent borrowing is severely circumscribed. Hence the states have become increasingly dependent on the centre for resources. In particular, the discretionary element in central transfer to the state has become predominant. Fiscal dependence of the states has to a large extent determined the fiscal status of the local governments. States which look to the centre for their resources can neither ensure fiscal independence of the local governments nor transfer adequate resources to enable them to perform the functions devolving on them. Viewed against the background of the weak foundations on which local finances were built during the British regime, one could say that the grassroots of democracy in India have always been under nourished.

## PATTERNS OF LOCAL GOVERNMENTS

Local governments in India fall into two main groups, viz., the rural local governments or panchayati raj institutions and urban local governments. The panchayati raj covers the rural population and consists of a three-tier system of popular institutions from the village to the district, formed on democratic principles and organically linked. The urban areas, which cover one-fifth of the population, comprise five different types of municipal bodies constituted with reference to character, size and importance of different towns and cities. These rural and urban local institutions are governed by separate enactments in each state.

Urban local authorities are created keeping in view the local needs and importance of the local area. Since the panchayati raj covers the entire rural area, giving the status of an urban local authority to a certain area means only a change in the form of local administration. At present there are five types of urban local authorities:

- (a) Municipal corporations,
- (b) Municipalities,
- (c) Notified area committees,
- (d) Town area committees, and
- (e) Cantonment boards.

The first four are created under state municipal laws while the cantonment boards owe their origin to a Central Act called the Cantonments Act, 1924. There are wide variations in the pattern of the urban local authorities, sometimes even within the same state. All the five types are not found in every state. Uttar Pradesh is only state which has all the five types. Municipalities are found everywhere. Rajasthan has nothing else but municipalities. The municipal institutions stand on their own and have no democratic controlling agency below the state. The control at the intermediate level is exercised by an official of the hierarchy of the state administration and these authorities do not have any relationship or link between them.

Structurally, these authorities follow more or less the same pattern in all the states—the elected council, the system of committees, the municipal executive, the powers of taxation, functions, etc. The principles governing these aspects of local government are basically similar. Differences exist only in size and area of the city/town, the size of the council, the extent of delegation of authority and the quantum of control exercised by the state authorities. Municipal corporations enjoy more autonomy and are somewhat more strongly placed in their relation with the state governments and also in matters of mobilisation of resources, etc. The municipalities, however, have to depend much

more on state governments both in administrative and financial matters.

The municipal functions enumerated under the various Acts can be classified into two: obligatory and discretionary. An obligatory duty is one the municipal authority shall make adequate provision for. In respect of discretionary duties, the local authority may, in its discretion, undertake them wholly or partly. This does not necessarily mean that the local authority cannot incur expenditure on a discretionary function unless all the obligatory duties have been satisfactorily performed. These Acts generally permit municipalities to undertake any measure which is not specifically named but which is likely to promote public safety, health, convenience, etc. The sphere of municipal administration is also being enlarged by certain special Acts like the Shops and Establishments Act, the Prevention of Food Adulteration Act, the Minimum Wages Act, etc. Likewise, the town planning legislation entrusts the municipalities with certain obligations in regard to planned development to be carried out in their areas. Apart from these statutory functions, the responsibilities of the local authorities have been growing in the wake of rapid urbanisation, whereby there is continuing and mounting pressure on the civil facilities and amenities. While the scope and area of the functions have been widening, there is no matching effort by state governments to ensure adequate finances to these authorities. The local authorities have not displayed much initiative in raising their revenues internally. According to the Committee on Budgetary Reforms in Municipal Administration, urban local authorities can meet their challenges only when adequate financial resources are made available to them, sufficient powers and authority are bestowed on them, and the institutional and administrative structure is strengthened.

In pursuance of the Balwantray Mehta Committee report on democratic decentralisation, the panchayati raj institutions have been entrusted with all functions at the local level including developmental functions. This is not quite the case in urban local authorities. Most of them have not been carrying out development functions for a variety of reasons. The primary reason is the lack of finances. The state governments have also been hesitant about entrusting these functions to them. The result is the creation of special development authorities. The city improvement trusts set up under special enactments in Bombay, Calcutta and Uttar Pradesh did not have the perspective and powers for taking care of future developments. The powers and functions of the improvement trusts were limited to different schemes of development and redevelopment, prepared and executed by them, without integrating them with the development of the city as a whole. Only the master plans initiated under the third plan adopted a comprehensive approach to regional planning. But the follow up of these plans was inadequate mainly due

to lack of finances. An organic link between the special development agencies and the local authorities was also found wanting. In course of time, some of the improvement trusts have been transformed into new development authorities. Some of them have later on been merged with the municipalities. At present, in Uttar Pradesh, the municipal corporations are empowered to perform planning and development functions. Delhi has powerful civic authorities and a high powered development authority. Both have independent status. While the Delhi Municipal Corporation (DMC) is a popular civic authority, the Delhi Development Authority (DDA) is a nominated body consisting of official as well as non-official members. In the matter of development both have to function in close coordination and cooperation. The DDA has to synchronise its development activities with the provision of water supply, sewerage and drainage facilities which continue to be managed by the DMC. Besides, the maintenance of services in the new colonies have to be ultimately entrusted to the DMC.

The Calcutta Metropolitan Development Authority (CMDA) embraces 3 municipal corporations, 31 municipalities, 63 non-municipal urban units and 116 semi-urban anchal panchayats in the Calcutta metropolitan district. The CMDA is set up under a special statute and provided with various functions and powers to raise funds and administer, supervise and coordinate development programmes. The status authorises CMDA to undertake any development work in the jurisdiction of any local body without its concurrence. To that extent, the powers of these local authorities stand abridged. The civic authorities in the metropolitan district function as agencies for CMDA for implementing various schemes and programmes initiated by CMDA in their jurisdiction. The Calcutta Corporation is one such agency. In Madras, there are a number of special purpose authorities like the Slum Clearance Board, the Housing Board and the Madras Metropolitan Development Authority. In Bombay, the municipal corporation takes care of development functions also within its areas. For looking after development needs on a wider regional basis, other autonomous authorities like the Maharashtra Housing Board and the City and Industrial Development Corporation have been set up. Some of the states are also contemplating separate boards for sewerage, drainage, water supply, etc. Thus there is no clear pattern of relationship between the civic authorities and development authorities set up in the different cities.

The Balwantray Mehta Committee regarded democratic decentralisation as necessary "to evoke local interest and excite local initiative in the field of development". While endorsing his report, the National Development Council emphasised the need for a diverse pattern of panchayati raj institutions according to conditions prevailing in the different states. Even so, there are some broad similarities in the basic

institutional structure of panchayati raj in the states. In all states, the panchayat is the basic unit of local government. In some of the states gram or village is the basic unit having a body of elected representatives called panchayat. The next tier in panchayati raj is the panchayat samiti. It is also called the anchal panchayat or the panchayat union. Sometimes, the panchayat samiti is co-terminus with the community development block. In most cases, the panchayat samitis are indirectly elected bodies, the presidents (*sarpanchas*) of the constituent bodies being the members. There is also direct election to panchayat samitis in Assam. In Tamil Nadu and Punjab, every panchayat has to elect its representatives to the panchayat samitis from among its members. Orissa provides for one of the *panchas* to be elected to serve the panchayat samiti in addition to the *sarpanch*. In Maharashtra, the councillors of zila parishad directly elected from the divisions in a block area, become the *ex officio* members of the panchayat samiti. The highest tier is the zila parishad. The parishad is not always co-terminus with the boundaries of a district. As in the case of the panchayat samiti, members of the zila parishad are, in most cases, indirectly elected with the presidents of the panchayat samitis, local MLAs and MPs as members. Some cooption is also made to represent women, scheduled castes and tribes. In Gujarat, Punjab and Uttar Pradesh additional members of the panchayat samiti are elected to serve on the zila parishad. The only exception is Maharashtra where a pre-determined number of councillors are directly elected from the electoral divisions in the district, but the organic link is established with the panchayat samiti by making the councillors members of the corresponding panchayat samitis.

The functions of the panchayats can be classified as: (a) civic amenities, (b) social welfare activities, and (c) development work.

Sanitation, conservancy, public health, street lighting, safe drinking water supply, maintenance of village roads, culverts, schools, etc., come under civic amenities which are generally obligatory, while the other activities which are optional include setting up and maintenance of library, reading room, community hall, playground and recreation facilities, maternity and child welfare centres, cart and bus stands, burial ground, etc. As regards development work, the panchayats generally function as agents of the samitis or zila parishads. The panchayat samitis took over the development functions performed earlier by the community development block. Besides, it has also to perform civic functions such as the administration of primary education, health and sanitation, including rural dispensaries, and maintenance of village roads and minor irrigation sources. In many states, the panchayat samitis have been entrusted with the supervision and control of panchayats, including the scrutiny and passing of their budgets. But the execution of works like construction of school buildings, roads, etc., is generally entrusted to

panchayats, the latter making some contribution towards the cost.

There are noticeable differences in the constitution and functions of zila parishads in the different states. In some states like Tamil Nadu, Rajasthan and Punjab, it is a purely advisory and coordinating body which periodically meets and discusses the various problems that arise in connection with panchayati raj and the development schemes of the district. Maharashtra stands at the opposite end where the zila parishad is the most important self-governing body with large executive functions including provision of primary and secondary education, district roads, hospitals and dispensaries, health and sanitation, etc. The panchayat samiti in Maharashtra is mainly the implementing agency of the zila parishad. The chief executive officer of the zila parishad is of the rank of the district collector and the zila parishad has powers of supervision over the panchayat samitis and panchayats. Andhra occupies an intermediate position insofar as its zila parishads have limited executive functions like the administration of secondary schools and distribution of grants received from the state for social welfare, etc. According to the report of the study team on panchayati raj finances, though panchayats in many places made genuine efforts to discharge their functions, there were instances where they were not discharging even the minimum obligatory functions largely due to the paucity of funds. In these places, even the basic civic amenities like safe drinking water supply, sanitation and conservancy, etc., were conspicuous by their absence. Nevertheless they had shown greater initiative and enthusiasm in constructing school buildings, community halls, panchayat *ghars* and village approach roads through local contributions and government matching grants, but were unable to maintain them in good repair. The panchayat samitis were also found to be unable to exercise any initiative in instituting special programmes or development projects of their choice because they did not have independent sources of revenue. Most of the grants they had received were tied to specific projects and they could act merely as agencies for implementation. The schematic pattern of community development programme is not sufficiently elastic to provide much scope for their initiative. In the case of zila parishads, wherever they have executive functions, the scarcity of resources has the same limiting effect on their activities as in the case of the samities.

#### FINANCES OF LOCAL GOVERNMENTS

The basic problem of local governments in India is finance. In a sense, scarcity of resources in India is not a phenomenon peculiar to local bodies. As a matter of fact the entire economy is constrained for resources. But, within an environment of overall scarcity, the sense of denial and deprivation is most pervasive and acute in the case of local

bodies. The paucity of resources at the local level is all the more agonising because it is at the grassroots of democracy that the dissatisfaction about the frustrated needs of the people is most keenly felt and articulated.

Taxes, shared taxes, grants, non-tax revenues and loans are the major sources of finance for local bodies. Some of the taxes are levied and collected by the local bodies themselves or by other bodies as their agents. Others are levied by the local bodies and collected by the state governments. The main taxes levied by the municipalities are:

- (a) taxes on property, rates on buildings and lands including open land—general rate and service taxes—and the duty on transfer of property;
- (b) taxes on goods—octroi and terminal taxes;
- (c) personal taxes—taxes on callings and employments, taxes on circumstances and property, terminal tax on passengers including the pilgrim tax;
- (d) taxes on vehicles and animals; and
- (e) theatre or show tax.

The scope of taxation is somewhat larger in the case of municipal corporations in view of the broader functions they are expected to perform. The taxes levied by them are property taxes, taxes on vehicles and animals, theatre tax, education cess, tax on trades, profession and callings, tax on companies, tax on transfer of property, tax on advertisement, etc. Though the tax heads of the corporations are not very extensive as compared to the municipalities they are exploited more intensively. The main components of property tax are general house tax, water tax, lighting tax, conservancy and drainage tax and fire tax. In most cases, property tax is levied on the basis of the annual rental value of the land and building. In a few, the tax is related to the capital value of the property without taking into account the income derived from it. Octroi is levied on the entry of goods into a local area for consumption, use or sale. The origin of octroi as a local tax can be traced as far back as the 'chungī' of the Mughal period, the Sikh 'dharat' and the 'muhtaraja' of Maratha towns. Historically, octroi has been an important and traditional source of revenue to local government. Whenever levied, it accounts for a substantial share of the total tax revenue of local bodies. But octroi is severely criticised because of its inherent defects such as its regressive incidence and vexatious, cumbersome and costly administration. It also obstructs a free movement of goods. Despite its lucrativeness, octroi has been universally condemned by all commissions and committees. There have been some attempts to abolish or merge it with sales tax. The Jha Committee has also recommended



its abolition.

Property tax and octroi account for the bulk of local finances. Among the other taxes, taxes on professions, trades and callings are mentioned in entry 60 of the state list in the seventh schedule of the Indian Constitution. Clause (2) of Article 276 limits the scope of its levy to Rs. 250 per annum. This is to avoid double taxation of income by the two layers of government. Though the tax on animals and vehicles is widespread it does not amount to much. The power to levy stamp duty in respect of documents other than those specified in the Union list is vested in the states. In some of the states, local bodies are empowered to levy a surcharge on stamp duty imposed by the state governments. The basis of the levy is the value of the property as stated in the registration deed.

Non-tax revenues consist of receipts from fees and fines, incomes from remunerative enterprises and other miscellaneous sources. Grants and contributions from the state governments are also included under this head. The primary purpose of collecting fees and fines is regulation and control of trade, markets, industrial establishments, eating places and so on, rather than resource mobilisation. School fees are also included under this head. Revenues from remunerative enterprises comprise of incomes derived from letting out market places and slaughter houses, commercial buildings, cinemas, exhibition grounds, stadia, hotels and restaurants and other municipal properties. At present, public utility services are provided by special authorities whose revenues and expenditure do not directly enter the budgets of the local bodies. Most of those who have enquired into local finances have been against the idea that local governments should directly create and operate commercial undertakings. Tax sharing is one of the avenues of augmenting the revenues of the local bodies. Such sharing is done in respect of entertainment tax, motor vehicles tax and so on. The shared portion has not been significant. Grant-in-aid does not occupy a prominent place in local finance as is the case in state finances. Grants are broadly classified as recurring and non-recurring. The former are given by state governments to meet the gap in their recurring expenditure and they are paid annually. Non-recurring grants are provided for meeting the initial capital expenditure of specific projects such as water supply, school buildings, etc. Recurring grants may further be divided into general and specific. The general purpose grants are utilised to augment the general revenues of the local bodies for discharging their normal functions. There are no conditions attached to them.

Specific grants are earmarked and tied to specific purposes such as education, medical and public health, road maintenance, etc. These are intended to induce local action in desired fields as part of a national or state level policy and in providing the desired measure of control over

the quality of the services. The amount of grant is determined on the basis of the matching formula, population, *per capita* income and expenditure, revenue gap and other considerations. There is, however, no uniform criteria for current fiscal transfers from the state to local bodies.

Borrowings of urban local bodies are regulated by a central law known as the Local Authorities Loans Act of 1914. Based on the above Act, the exact borrowing powers of local bodies are defined in the respective municipal laws defining the limits and purposes of their borrowing. Prior permission of the concerned state government is necessary for such borrowing. The local bodies are given access to open market loans and negotiated loans which include loans from banks, Life Insurance Corporation (LIC) and other financial institutions. But all proposals relating to loans from the open market or from the LIC are required to be cleared by the Reserve Bank of India.

There are, however, some significant differences in some of the salient features of the borrowing operations of the municipal corporations and other urban local bodies. First, municipal corporations can borrow only for developmental activities and for repayment of debt charges. But municipalities and other urban local bodies are permitted to raise loans for capital works, for relief work during times of famine or scarcity, for the prevention of dangerous epidemic diseases as well as for discharging previous loans. Secondly, the maximum period for which loans can be borrowed by municipal corporations is sixty years as compared to thirty years for municipalities. Thirdly, municipal corporations can raise loans on the security of their immovable property also. Municipalities can borrow on the security of their funds only. In practice, except the municipal corporation, all other urban local bodies depend largely on loans from their respective state governments.

As for panchayati raj institutions, they are empowered to levy taxes on persons, property and business. They include general property taxes, service taxes, taxes on land revenue, on rent of land, taxes on trades, profession and callings, taxes on animals and vehicles, octroi, pilgrim tax, taxes on fairs, etc. Besides, the panchayats collect fees for services rendered, licence fees and fees in the nature of fines and penalties. In many states, government properties like unoccupied land which can be managed by local authorities vest in the panchayats. Ponds and tanks as well as fairs and markets yield some income to the panchayats.

Broadly, there are three types of grants given to the panchayats, *viz.*, general purpose grants accruing to all panchayats, additional purpose grants made available to the poorer panchayats from education funds and specific grants. Surcharge on stamp duty is another source of revenue to the panchayats.

Entertainment tax is also shared with panchayats. In some states like Orissa the revenue proceeds from the sale of *Kendu* leaf is shared with

panchayats and samitis. Some state governments give a matching grant for larger proceeds arising from higher rates and efficient collection. All these grants and fiscal assistance did not add upto more than 50 paise per head of population in most of the panchayats in the early sixties. The study team on panchayati raj finances pleaded to raise the minimum maintenance assistance to one rupee per head.

Earlier, district and taluk boards enjoyed some important sources of tax revenue such as land cess, stamp duty on transfer of property, profession tax, tax on property, tolls, etc. In recent years, these bodies are integrated with panchayati raj institutions along with their sources of revenue. In fact, the samitis have become permanent units of local government at the block level. The development budgets of the samitis are based on the block schematic budgets. Education, health, roads, etc., figure prominently in the samiti budgets. Flexible source of revenues are found necessary to finance these functions in conformity to the needs of the local level. The study team on panchayati raj finances suggested that at least Rs. 10 per capita of rural population should be allotted during the fourth plan for this purpose in addition to the normal plan outlays. The committee recommended that elementary education should be financed on a simple formula based on a per capita or per pupil grant. The objective is to achieve universal primary education. The other major items of committed expenditure of the samitis are inter-village roads, minor irrigation schemes, rural medical and veterinary dispensaries, maternity centres, sanitation services and the like. To the extent the resources made available through schematic budgets were found to be inadequate, the committee recommended the use of general and specific grants-in-aid to the samitis from the state governments.

Whenever zila parishads shoulder executive functions, matching their responsibilities with the requisite finances has been a nagging problem. In Maharashtra the zila parishads have taken over the entire functions of the government at the district level except law and order, justice, national and state highways, college and university education and institutions of importance for the state as a whole. In Andhra Pradesh, the zila parishad manages the government secondary, vocational schools, distribute plan funds and determines the increased annual quota of teachers, etc., among the samitis. In Maharashtra, all the district officers and most of the institutions like agriculture, education, animal husbandry, health, etc., have been transferred to zila parishad whose chief executive officer is of the rank of district collector. On the resources side, 70 per cent of land revenue was assigned to zila parishad. But this was more or less a static and regressive source. Resources raised on the initiative of the zila parishad are limited. Hence, the major component of their finance consists of various kinds of grants-in-aid.

As for loans, panchayati raj institutions could have only limited access. The bulk of this limited amount is extended by the state government as loans and advances. The study team on panchayati raj finances felt that panchayati raj institutions require loans to finance public utility undertakings like water supply, drainage and electric lighting, construction of shops, markets, hotels and cinema houses, trading in agricultural inputs and equipment, scientific pisciculture, various kinds of industrial undertakings, etc. They were convinced that loans from state governments would be far too inadequate to meet the need for borrowed funds. Hence they suggested that a panchayati raj finance corporation with an authorised capital of a crore of rupee where the panchayati raj institutions, central and state governments, the Reserve Bank of India, the LIC, the cooperative and commercial banks as well as other financial institutions having branches in the state would participate.

The finances of the local bodies, including panchayati raj institutions are given in Table 1. The data is more than a decade old. But the table depicts the paucity of local finances on the one hand and the relative insignificance of grants and loans. Of course, these figures exclude special local authorities.

TABLE 1 SOURCES OF FINANCE OF LOCAL BODIES

Sources of Finance	(Rs. crores)					
	1951-52		1960-61		1965-66	
	Amount	Percentage	Amount	Percentage	Amount	Percentage
Rates and Taxes	22.9	33.8	73.8	40.6	28.2	38.5
Grants-in-aid	2.9	4.3	9.3	5.0	12.7	4.5
Loans	8.0	11.7	28.4	15.6	40.8	14.0
Other Receipts	34.1	50.2	70.4	38.8	12.5	43.0
Total Receipts	67.9	100.0	181.9	100.0	282.4	100.0

SOURCE : *Bulletin of the Reserve Bank of India*, April, 1958, November 1962 and April 1967.

The estimated figures given in Table 2 on next page excludes those of special authorities entrusted with some of the important developmental activities in the urban areas. But Rs. 50 crores for a population of about 110 million living in urban areas give a *per capita* figure of less than five rupees which is ridiculously inadequate to meet the needs of the basic minimum of civic amenities of urban life.

Thus the basic issue in local finances is the overall constraint on resources reflected at all levels of government. But in view of the extreme concentration of resources in the centre, the scarcity of finances is more acutely felt at the state and local levels. How can state governments be more under short leash. The apathy of the centre towards

TABLE 2 FINANCING OF THE URBAN LOCAL BODIES  
(ESTIMATE FOR 1972-73)

<i>Sources of Finance</i>	<i>(Rs. crores)</i>	
	<i>Amount</i>	<i>Percentage</i>
Tax Revenues	26.6	53.2
Grants (including capital grants)	7.2	14.4
Loans	4.9	9.8
Other Receipts	11.3	22.6
TOTAL	50.0	100.0

SOURCE: *Financial Resources of Urban Local Bodies and their Outlay*, Mimeographed, NCAER, New Delhi, 1975, Tables 5.14, 5.15 and 5.17.

the states recoils on the local governments more viciously leading to an everwidening gap between needs and resources. Secondly, land is the main property base of both rural and urban local governments. Land revenue is both static and regressive. Panchayati raj institutions have tried to augment their resources by attaching various cesses and surcharges to land revenue which have only produced moles out of mountains. Unless agricultural taxes are radically redesigned, reliance on land related taxes are not going to produce the requisite tax resources to the panchayati raj institutions. The situation is somewhat different in the case of urban local bodies. The growth of urban population and its income as well as the relative intensity of industrial and commercial development in the urban areas has led to a tremendous appreciation of property value in the urban areas. But the urban local governments have miserably failed in this respect. The dominance of the propertied classes both in the rural and urban politics is at the root of this failure. There is a gross under-taxation of property apart from serious leakages of assessment. Even in a progressive State like Kerala, its taxation enquiry committee discovered that while the urban local governments are empowered to levy property tax upto 25 per cent of the annual rental value, most of them had not reached even half of the statutory limit. Similarly, the Kerala Panchayats Act had enabled the rural local governments to levy up to 10 per cent of the annual rental value of buildings. A large bulk of them were below the 5 per cent level. A more serious problem was the awful inadequacy of the machinery for valuation. Unless, the evaluation machinery is equal to the task, much of the tax base will get seriously eroded. Similar evasion and under assessment is rampant in the case of stamp duty on transfer of property.

Thirdly, ad hocism dominates fiscal transfers to local levels. The extent and the basis of tax sharing as well as the principles of revenue and capital grants have been creating a lot of heart burn in the local areas. All over the world, fiscal transfers have evoked considerable friction and dissatisfaction. Fiscal relations have been particularly sour at the local level. In the United States, there is a sizable body of

opinion in favour of direct federal action in dealing with the problems of city governments and other local bodies threatened by blight and poverty. In India too a feeling has been growing that the state governments which are famished of funds cannot nurse the local bodies with adequate food and nourishment needed for their health, strength and happiness. They think that a direct link with the centre would revitalise local governments. But they seem to ignore the debilitating effects it will have on state finances and government. The best remedy may be to review the entire problem of centre-state-local financial relations to bring about a radical realignment of their financial powers in close conformity with the functions which they are expected to perform.

Fourthly, even when the financial relations between the three layers of government are completely overhauled, there would still be a need for a balancing mechanism to fill the revenue gaps and iron out glaring inequalities in the service levels of various local governments. The Rural-Urban Relationship Committee of 1966 had suggested the creation of a municipal finance commission to deal with the devolution of finances from the state governments to the urban local bodies. The taxation enquiry committee of the Government of Kerala had enlarged the concept and suggested the constitution of a local bodies finance commission for Kerala to deal with : (a) the allocation and distribution of land tax among the local bodies, and (b) the determination of the grants-in-aid to be given to individual local bodies having regard the revenues that could be raised locally with their best effort and their requirements for providing a minimum level of services and amenities to the people. Recently some attempts have been made in Madhya Pradesh, Gujarat and Kerala to formalise a grants-in-aid code along with the introduction of a system of general grants. Gujarat has introduced a system in which, along with a *per capita* grant, a system of weightage has been devised so as to relate municipal revenue efforts, administrative efficiency and expenditure priorities with regard to tax sharing also. Gujarat and Kerala have developed objective indices for allocation. They have set up State appointed finance commissions for the purpose of reviewing municipal finances periodically.

Fifthly, as noted earlier, the study team on panchayati raj finances recommended the creation of a panchayati raj finance corporation to meet the long-term financial needs of commercial activities and enterprises of the panchayati raj institutions. On the same lines, the Rural-Urban Relationship Committee has suggested the creation of a municipal finance corporation. Based on its integrated approach to problems of rural-urban continuum, the taxation enquiry committee of the Government of Kerala had recommended the establishment of a local finance corporation in Kerala for advancing loans to all local bodies seeking long-term capital resources for financing remunerative projects

in transport, markets, cinema houses, hotels, etc. They expected that the authorised capital of the corporation may be subscribed by local bodies, central and state governments, financial institutions and commercial banks. Such banks were expected to ensure their commercial viability. However, the Kerala State Urban Development Finance Corporation Ltd., set up by the Government of Kerala, has only an urban bias. Rural local governments are outside its scope.

A legitimate fear expressed in this connection if loan financing is limited to self-liquidating projects, is that many of the socially desirable projects may not qualify. The gap between commercial profitability and social desirability is bound to be large especially in the type of projects which may be of local interest which evince greater interest in civic amenities, social services and welfare programmes. Finally, local governments have shown conspicuous failure in mobilising surplus labour for capital formation in areas of local concern. The idea was incorporated in the community development projects which required that a portion of the project cost has to come from the local population as free labour or *shram dan*. The concept which had the blessings of both the Gandhians and the Keynesians did not materialise in the type of market-oriented economy which India has adopted. Consequently, the so-called contribution of free labour was more an accounting fiction than a genuine effort to convert idle or under-utilised labour into capital at the grassroots of government.

It follows that where labour predominates the developmental efforts of the local bodies, resource mobilisation by way of utilisation of surplus labour is bound to fail. A starving mother like the state government cannot ensure the financial health of the local bodies. This would call for a fundamental change in the financial relations of the various layers of Government in India. However, within the existing framework the taxation enquiry committee of the Government of Kerala envisaged a fourfold approach for strengthening local finances. First, the local bodies should be prepared to exploit to the full the tax heads placed at their disposal. Secondly, the state government should devolve fresh sources of revenue to local bodies. This can be done by allowing them to utilise certain earmarked taxes and also by allocating them certain new taxes the proceeds of which might be distributed according to acceptable principles. Thirdly, there should be a well conceived system of grants-in-aid to meet the remaining gap in the resources of local bodies. Finally, a suitable system of loan finance to meet their needs of development has to be designed. The Committee of Ministers on Augmentation of Financial Resources of Urban Local Bodies (popularly called the Zakaria Committee) has also indicated the minimum fiscal transfer needed for the maintenance of municipal services at minimum levels of physical standard.

## BUDGET ACCOUNTS AND AUDIT

One of the unique features of the Indian financial system is the remarkable uniformity in the systems and practices of financial administration. This has been maintained even after a full-fledged federal system has been installed. By and large, this has been possible because of the pivotal position enjoyed by the Comptroller and Auditor General of India in prescribing the format for budget and accounts and conducting audit on that basis. The Indian audit and accounts service was at his command in the performance of his functions. The system that was developed in British India was also extended to the erstwhile native states when their finances were integrated with the mainstream of Indian administration. The integrity of the system has been preserved even after the sweeping reform of the budget and account heads introduced from April 1974. Broadly speaking, the schematic budgets of the panchayati raj institutions have not involved in any modification of the system except in matters of minor details though the budget and accounts of rural local governments are manned by an accounts cadre created and maintained by each state government. This is also true of the system of treasuries manned by state cadres. The core of the general financial rules, codes and procedures as well as the system of financial control which are characterised by the greatest common measure even though the states are free to modify the system to suit their own needs and convenience. But the story of the urban local bodies is somewhat different. The general and local governments have something in connection with regard to the preparation, approval and implementation of the budget. But the agencies that are involved are quite different. As is the case with central and state governments, expenditure proposals emanate from the spending departments. But the procedure for authorisation carries some unique features. The general pattern in the municipal corporations is that the departmental proposals are compiled in prescribed form either in the general or in the accounts branch of the municipal commissioner's office. Thirdly, the commissioner submits the consolidated budget proposals to the standing committee for scrutiny/approval. The standing committee, after detailed scrutiny of the proposals, finalises the estimates and submits the same to the general body of the corporation, which is the final authority to pass the budget. However, in most of the cases, the budget estimates, after the approval of the general body, are forwarded to the state government for information. The budget year and the cycle are more or less similar to the central and state governments. As for the municipalities, the departmental heads frame the proposals for their respective departments and submit them to the commissioner/chairman/executive officer and he sends it to the council either directly or through the standing committee, if any. After the council



approves the budget, it is sent to the state government through the respective district officers, namely, district collector/divisional commissioner and director of municipal administration for approval and sanction. There are exceptions to this general pattern. In some, no approval is required. It is simply sent for information and record. Normally, the proposals are initiated in October-November and are sent to state governments by the end of February to mid-March for approval and sanction. Thus the essential difference in budgeting lies in the agencies involved and procedures followed in authorising budget proposals.

The budget estimates are usually classified according to the requirements of the Act into major heads, minor heads, primary units, etc., which resemble the classification in the central and state governments. In view of the functionally oriented departmental structure in many of the municipalities, the budget heads closely correspond to the functions, programmes and activities. Budgets are broadly divided into revenue and capital. There are aggregations of the budgets of various zones or wards. As in the case of the Delhi Municipal Corporation, some of the urban local governments make special provisions for works in different constituencies. The amount so provided is commonly known as the 'constituency fund' and is spent in the various constituencies at the instance and discretion of the concerned councilor.

Capital budgets relate to infrastructural facilities and development projects. As seen earlier there are severe constraints on the extent to which urban local governments can undertake capital works. They are broadly limited by the resources they can mobilise both internally and externally. As capital improvement programmes usually involve much larger financial outlays than revenue or maintenance expenditures, the task of matching the resources and the outlays really onerous. There is also a suspense budget which contains intermediate budget head or block accounts. It includes heads like central stores, commercial department, municipal vehicles depots, etc., which render service to other executive departments. The suspense budget heads provide for entries where a direct allocation to financial budget grants cannot be made.

The system and procedure of financial control is more involved and cumbersome in urban local government. Though local bodies are statutory entities, the grip of control by state government is somewhat light. The state governments exercise direct control over local authorities through the Directorate of local government. Besides, the state functionaries at the intermediate levels like the district exercise some amount of control. There is also an internal system of financial control within the local authorities. The municipal laws provide wide powers of administration and financial control to the state governments. The

powers of financial control cover almost every aspect of financial management. Some of the measures employed for the purpose include the power of the state government to:

- (a) scrutinise and accord final approval to the municipal budgets;
- (b) give clearance to certain type of municipal work;
- (c) sanction expenditure exceeding a specified limit (even though provision may exist in the budget for incurring such expenditure);
- (d) get certain works carried out in the event of default on the part of local authority and to recover the cost;
- (e) lay down certain conditions for advancing loans and grants-in-aid;
- (f) require the municipal authorities to submit periodical returns, progress reports, financial statements, etc;
- (g) approve pay scales and strength of staff ; and
- (h) give directions having financial implications.

The actual practice obtaining in the states, however, varies not only from state to state but within one state as well, depending upon the status and classification of local authority.

Within the framework of urban local governments in India, the municipal corporations enjoy a higher status and degree of independence in managing their affairs. The financial control of the state governments on the affairs of the municipal corporations is, therefore, less rigid both in content as well as extent. Besides, control from the intermediate level below the state government is almost non-existent. In the case of municipalities, however, the state governments and their functionaries at the district/divisional levels exercise more extensive financial control.

The Municipal Corporation Act enumerates the following authorities responsible for the affairs of the corporation:

- (a) the council;
- (b) the standing finance committee and other functional committees;  
and
- (c) the municipal commissioner.

Besides, there may be one or more committees supervising the functions of the utility undertakings like transport, electricity, etc. In the municipalities, however, the council, the chairman/president, the executive committee and the executive officer (in some states designated as secretary or commissioner) have been designated as the municipal authority. The financial powers are divided among these authorities but

the extent of powers delegated varies among the municipal corporations and municipalities in different states. The financial powers could broadly be divided into five categories:

- (a) approval of estimates;
- (b) sanctions of contracts;
- (c) acquisition of properties;
- (d) disposal of properties; and
- (e) other financial powers.

The position of the commissioner in a municipal corporation is of crucial importance. He heads the executive wing and is, in his own right, one of the municipal authorities recognised in law. There are innumerable permutations and combinations of financial powers in the various municipalities even within a single state.

As in the general government, accounts in the urban local government are maintained on a cash basis. Heads of accounts conform to the budget heads. The present system of municipal accounting as well as budgeting serves the following needs:

- (a) it facilitates financial and legal accountability both from the executive and the deliberative authority and within the execution from the lower to the higher level;
- (b) it serves, though inadequately, to watch the progress of expenditure as part of expenditure control; and
- (c) it facilitates regulating audit.

In general, the audit of urban local government is not part of the establishment of the Comptroller and Auditor General of India. But, the accountant general conducts internal audit for certain specific schemes as listed by the state government. In municipalities, generally post-audit is conducted by the examiner of the local fund account which is part of the accounts cadre at the state level. Panchayati raj institutions are also audited by separate audit wings of the State Directorates of Accounts. Internal audit is not widely prevalent.

Financial management has been found wanting in many important respects. The basic weakness of the conventional system is that it lays emphasis on the financial aspects and does not relate the financial provisions with work done or proposed to be done. The modern concern is to make the system of financial administration a tool of planning and internal management. Accordingly the system of local financial administration has to be shifted from financial accountability to performance. For this purpose, the Government of India has constituted a Committee on Budgetary Reform in Municipal Administration which submitted its

report in 1974. The terms of reference of the Committee were:

- (a) to undertake a comprehensive examination of the existing budgetary systems and methods, practices and procedures, including financial control in the municipal corporations and large municipalities;
- (b) to suggest improved budgetary systems, methods and procedures so as to make budgeting an effective tool of financial and general management especially in the context of the need for planned developments of urban areas and implementations of development plans, programmes and projects;
- (c) to consider and make recommendations as to how budgeting reforms can contribute towards more effective financial management and resource mobilisation; and
- (d) to examine the desirability of introducing programme and performance budgeting in municipal government and the feasible ways in which these budgetary reforms could be achieved within a reasonable period of time, etc.

The thrust of the Committee's report has been on the introduction of performance budgeting and related reforms.

According to the Committee, performance budgeting involves a clear definition of the goals and objectives; a long-term perspective for budgeting; identification and quantification of the physical outputs of the expenditure programmes and their measurement, a system of accounting which provides information on the cost of the various programmes related to the outputs and a system of continuous review of the implementation of the programmes and their evaluation. In fact, the entire report is a weak attempt to delineate some of these aspects. The importance of project planning and performance budgeting to capital projects is adequately emphasised.

The reforms suggested by the Committee in the area of financial control have been accounted on the elimination of the intermediate levels of control, streamlining the procedures and decentralisation. However, the report is somewhat biased against elected elements and seeks to strengthen the powers of the bureaucratic elements in municipal administration represented by the municipal commissioner or executive officer. The elected elements will only be kept informed about the exercise of executive power. It has also failed to apply its mind to the problem of excessive governmental control and the need for a fundamental control and the need for a fundamental reorganisation of the state-local financial relations. As for municipal accounting, the Committee has emphasised the need for reforms in three main directions:

- (a) adoption of commercial accounting in municipal enterprises;

- (b) relating municipal accounting to the needs of management;  
and
- (c) evolving a proper format for accounting which would be linked  
with the format of budgeting.

Relevant information to the levels of management for suitable decisions through periodic reports based on accounting and physical data is also found important. The need for the development of internal audit is also emphasised in the report. □

# Financing Municipal Services\*

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IN THE context of growing urbanisation and the ever-widening gap between the desired and the existing level of municipal services in India, a discussion of the problems and prospects of municipal finance becomes meaningful when this is preceded by a general consensus about the exact role and functions of the urban local bodies in the total governmental system of the country. Such a consensus unfortunately is hard to come by and the need for decentralised decision-making is neither clear to a society used to authoritarian rule nor to the upper-tier governments inheriting the legacies of colonial administration. Failure to face this basic *political* issue in the post-independence attempts at reorganisation of urban local government have led to contradictions between goals and recommended measures aimed at tightening of checks and balances in local decision-making process. This is paralleled by attempts at taking over local authority functions either through outright centralisation or creation of special purpose bodies and state undertakings. Erosion of local functions is invariably followed by erosion of local revenue, so that the degree of discretion and flexibility in local fiscal policy approaches almost vanishing point. On the other hand, due to the somewhat ambivalent role of the urban local government, its transformation into an institution for development has not taken place. Even today, the basic municipal structure of the country remains the same as that created by Lord Ripon in the 1880s, which was primarily conceived as : (a) means of political education for the growing intelligentsia of the country, and (b) providing relief to the imperial exchequer. This stands in sharp contrast to the experiments in the field of rural *panchayats* where attempts have been made to sustain local development through the external stimulus of plan assistance, but without the internal resources necessary for maintenance of gains already achieved.

Much of this confusion with regard to local government stems from the misunderstanding of the role of the states themselves. Local government can be vigorous only when the state governments assume the role of a senior partner and not a competitor in local development. In the absence of a clear-cut demarcation between state and local functions—which is not a mere theoretical concept but also, operationally, a feasible

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proposition—and the willingness of the states to delegate authority and devolve functions and finances, it is unrealistic to expect that the urban local governments will be able to face the challenge of urban development.

It follows that in any discussion of local government finance, it is necessary to assume a few propositions clarifying what local government is for and what is expected of it. For the purpose of clarity, the following value-premises are advanced:

- (a) It is assumed that local government institutions are politically responsible units, and within the sphere of their activity, these are fairly autonomous;
- (b) It is further assumed that the higher-tiers of governments—state and central—would increasingly devolve functions and resources to the local governments in order to discharge their responsibilities to the fullest extent; and
- (c) It is also assumed that the increased responsibilities and the freedom of decision-making by the local governments would accompany a large measure of financial autonomy, away from dependence from the external sources, such as the state and the central governments.

The attitude of the central government *vis-a-vis* the local authorities is of considerable importance in a federation which assigns the most productive revenue sources to the centre, and the responsibilities for social services and overheads to the states and the local authorities. This problem is accentuated by the operation of planned development of the country so that not only the central government has to take care of the financing of state plans, but also the local planning efforts *via* the states. It is possible that in future this will be formalised by increasing the statutory base of revenue devolution to the states. It would be unfortunate if the needs of the local authorities are disregarded—as happened in the case of the Fourth Finance Commission's award—and funds are not earmarked for urgently needed local projects, such as water supply and sewerage, transportation, housing, and so on, both for initial development as well as for their proper maintenance.

It is instructive to recall the reason for the built-in imbalances between functions and resources in our governmental system; the lower the unit in the hierarchy, the more adverse the relationship. The rationale of this disequilibrium is that it is easier for the higher-level of government to correct the fiscal imbalance of the lower units through grants and appropriate tax-sharing, rather than for the lower-levels of governments to pull their surplus resources together to subsidise the higher-level of government. It is on this ground that income tax

was centralised under the Government of India Act, 1935. What is true of centre-state financial relations, holds equally true at the state-local level.

In this paper application of certain norms and criteria developed since independence to streamline centre-state fiscal relations to the neglected field of state-local fiscal relations has been tried to see how far the states themselves have meted fair and imaginative treatment to the local bodies which they expect of the centre. Next, we would concentrate on the purely local sources of revenue and see to what extent there is a possibility to intensify their utilisation and what alternatives exist to put the local governments on sound financial footing.

Before embarking on these substantive areas, it is useful to highlight the present performance of the urban local bodies with regard to the financing of various functions and the extent of 'gap' between their finances and the desired level of services.

In the last section, the main scheme of reorganisation of municipal finance to deal adequately with not only maintenance of local services, but also substantial improvements and creation of new facilities for urban development has been summarised.

#### LEVELS OF MUNICIPAL SERVICES

Information on the levels of various municipal services obtaining in different parts of the country is hard to come by. Most of the available information is in terms of municipal expenditure on different heads of activities and provides no clue as to their performance in physical terms. Recently, the Rural Urban Relationship Committee (RURC) (1966) collected detailed information regarding conditions of municipal services in seven representative towns from seven different states, viz., Tiruchirapalli (Madras), Ludhiana (Punjab), Guntur (Andhra Pradesh), Mangalore (Mysore), Malegaon (Maharashtra), Shahjahanpur (Uttar Pradesh), and Monghyr (Bihar). The findings are summarised in Table 1. The general conclusion of the RURC on the level of municipal services obtaining in the seven selected towns runs as follows:

It is obvious that in these towns, which happen to be class I excepting Monghyr, with moderate financial capacity and resources, the level of services could not be treated as satisfactory. Of these Malegaon has the highest per capita income of about Rs. 30 and perhaps the poorest in basic urban services. It is a place without an urban complexion, and so is Shahjahanpur with a per capita income of Rs. 10.74. The difficulties of Malegaon are attributable largely to the absence of a properly developed urban area, which is easier and less expensive to maintain particularly in matter of sanitation and



TABLE 1 LEVELS OF MUNICIPAL SERVICES IN SELECTED TOWNS

Town (State)	Economic base	Popula- tion 1961	Municipal revenue (per capi- ta) Rs.	Levels of Municipal Services 1962-63							Public works	Utilities	Master Plan
				Water Supply	Sewerage & Sani- tation	Health	Medical	Education	Education	Education			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)		
1. Tiruchirapalli (Madras)	Regional distribu- tion, com- merce	2,49,862	17.93	18 g.c.p.d.	No under- ground sewerage, rudimen- tary sani- tation	Streng- thened preventive units	Improved maternity services and gene- ral facili- ties	Free & com- pulsory pri- mary edu- cation. Second major activity	Concerned with roads only, imp- rovements gained	No gene- ration or distribu- tion of electri- city. Inter- controlling city trans- hazard port with the State or private sector	Under pre- paration; no inte- rim regu- lation for city trans- hazard development		
2. Ludhiana (Punjab)	Small indus- tries; hosiery	2,44,032	19.33	16 g.c.p.d.	-do-	-do-	-do-	State function	Improvements gained in road facili- ties	-do-	Prepared, but lack of effec- tive enfor- cement		
3. Guntur (Andhra Pradesh)	Regional distribu- tion, com- merce & industries	1,87,068	21.66	19 g.c.p.d.	-do-	-do-	-do-	Free and compul- sory pri- mary edu- cation. Se- cond major activity	-do-	-do-	-do-		

4. Mangalore (Mysore)	Port, growing industrial complex	1,48,669	17.36	12 g.c.p.d.	-do-	-do-	-do-	-do-	-do-	Outline development plan ready, awaiting sanction
Malegaon (Maharashtra)	Small industries : weaving	1,21,408	29.41	13 g.c.p.d.	-do-	-do-	-do-	-do-	-do-	None
6. Shahjahanpur (Uttar Pradesh)	Service town	1,10,432	10.74	No piped water supply	-do-	Not encouraging	State function	Free and compulsory primary education	Unsatisfactory, due to the plying of bullock carts to provision of specialisation of secondary education	-do-
7. Monghyr (Bihar)	Service town, close to major rail junction	89,768	9.91	40 g.c.p.d.	-do-	Strengthened units	State function	-do-	Improvements gained in road facilities	-do-

SOURCE : *Report of the Rural-Urban Relationship Committee*, Volume III, 1966, Government of India (Ministry of Health & Family Planning), Delhi, 1967, pp. 236-8.

conservancy. This fact is borne out by the example of Monghyr which was redeveloped after the Bihar earthquake and where the general standard of services compare favourably with other towns even though its per capita income is only about Rs. 10. Another fact is the increasing emphasis on education, though much of it may be attributed to making it free and compulsory. Water supply has now the required recognition but it still remains unintegrated with the underground sewerage schemes, now under preparation in some of the towns. Planning and development are the basic vital issues which need to be properly attended.<sup>1</sup>

The overall disparities in the level of municipal services throughout the country are all the more clear from the analysis of *per capita* municipal expenditure on various municipal services conducted by the RURC for 98 urban local bodies for the year 1962-63. The following table summarises the position quite succinctly for various classes of towns.

TABLE 2 PER CAPITA EXPENDITURE DISTRIBUTION BY CLASS OF TOWN, 1962-63

Class of town (Population)	Number of Urban Local Bodies								Total No.	Average Expendi- ture (Rs.)
	Less than Rs. 5	Rs. 5-10	Rs. 10-15	Rs. 15-20	Rs. 20-30	Rs. 30-40	Rs. 40-50	Rs. 50 & above		
Corporation	—	—	1	1	2	2	—	2	8	31.50
Class I (over, 1,00,00)	—	—	1	3	1	—	1	1	7	19.04
Class II (50,000 to 1,00,000)	1	—	3	4	2	—	—	—	10	16.75
Class III (20,000-50,000)	3	3	6	4	6	1	1	—	24	16.12
Class IV (10,000-20,000)	6	9	3	1	2	1	1	1	24	12.83
Class V (5,000-10,000)	4	7	1	1	—	—	—	2	15	11.31
Class VI (less than 5,000)	1	3	3	—	1	—	—	2	10	10.56
TOTAL	15	22	18	14	14	4	3	8	98	—

SOURCE: *Report of the Rural-Urban Relationship Committee*, Volume III, *op. cit.* p. 113.

It will be seen that the *per capita* expenditure on municipal services

<sup>1</sup> *Report of the Rural-Urban Relationship Committee*, New Delhi, Government of India, Ministry of Health and Family Planning, 1966, Vol. III, p. 239.

has direct relationship with the size of the towns so that the smaller towns also have smaller *per capita* revenue to distribute over a wide range of activities. To this are added the problems of diseconomies of scale in smaller localities leading to a larger proportionate expenditure on the administrative overheads. The only exception to this situation is the hill towns with high *per capita* revenue due to the seasonal influx of tourist population. But, by and large, it is quite clear that an urban local body with a *per capita* revenue of less than Rs. 30 cannot maintain minimum civic facilities and, according to the RURC, the "average range of satisfactory per capita expenditure may be placed between Rs. 30 and 35."<sup>2</sup> It is, of course, difficult to determine such minimum expenditure levels without also taking into account the peculiarities of particular situations and, ideally, each town has to work out its needs for maintenance and development of municipal services to achieve satisfactory standards with due regard to the resources at its command. However, certain rough technical standards could be formulated for different categories of urban local bodies in physical terms and corresponding estimates of the cost of achieving these standards may also be calculated. Such an attempt was made by the central Town and Country Planning Organisation (TCPO) for the committee of ministers constituted by the Central Council of Local Self-Government on *Augmentation of Financial Resources of Urban Local Bodies* (Zakaria Committee) (1965). The Zakaria Committee added a few services, such as education, which were not considered by the TCPO and estimated the annual recurring expenditure requirements of the urban local bodies on the basis of the following: (i) number of urban local bodies in 1960-61; (ii) population of urban local bodies as per 1961 census; (iii) price level of 1956-57; and (iv) standard of services as worked out by the TCPO. The urban local bodies were categorised into six classes in terms of population as follows:

1. *Standard A (Special)*—Population above 20 lakhs; in case of industrial cities above 10 lakhs;
2. *Standard A*—Population between 5 to 20 lakhs;
3. *Standard B*—Population between 1 to 5 lakhs;
4. *Standard C*—Population between 50,000 to 1 lakh;
5. *Standard D*—Population between 20,000 to 50,000; and
6. *Standard E*—Population below 20,000.

The result of the estimates by the Zakaria Committee is shown in Table 3.

From Table 3, it is obvious that there is a large gap between the existing and the desired level of municipal services. The total amount

<sup>2</sup>*Report of the Rural-Urban Relationship Committee, op. cit.*, p. 115.

TABLE 3 DESIRED AND ACTUAL PER CAPITA RECURRING EXPENDITURE OF URBAN LOCAL BODIES, 1960-61

(In Rupees)

Service	Classes of Urban Local Bodies					
	Class A Special	Class A	Class B	Class C	Class D	Class E
1. Water supply	10.80	10.20	9.80	8.64	7.56	7.42
2. Sewerage and drainage	12.20	11.90	10.80	9.30	8.70	8.20
3. Roads and works	2.50	2.20	1.80	1.35	1.20	1.10
4. Streets lighting and electric distribution	3.00	2.85	2.50	2.30	2.15	2.00
5. Education	6.00	5.00	4.00	3.00	2.00	1.00
6. Medical and health	3.00	2.00	1.00	0.75	0.50	0.25
7. Fire fighting	0.50	0.40	0.30	0.20	0.10	0.05
8. Horticulture	0.50	0.38	0.20	0.08	0.06	0.05
9. General administration	5.00	4.00	3.00	2.00	2.00	1.00
(a) Total: Desired expenditure	43.50	39.93	33.40	27.62	24.27	21.07
(b) Actual expenditure	33.95	22.22	15.06	12.74	12.49	11.19
(c) Deficit (a)—(b)	9.55	16.71	18.34	14.88	11.78	9.88
(d) Percentage of (c) to (a)	21.96	41.85	54.88	53.89	48.55	46.90

SOURCE: *Report of Committee on Augmentation of Financial Resources of Urban Local Bodies*, Report of the Committee of Ministers constituted by the Central Council of Local Self-Government, Government of India (Ministry of Health), Delhi 1965, pp. 36 and 151.

necessary to meet the gap was calculated at about Rs. 9 crores at 1956-57 prices which may safely be put around Rs. 100 crores in terms of price level prevalent in the mid-sixties. It should be remembered that the estimate is only for maintenance of various municipal services for different categories of urban local bodies, and capital development is to be tackled separately. Again, the revenue side of the picture is to be added to these estimates with a marginal surplus so that the minimum estimates of costs and revenues needed may be examined side by side. The estimates prepared by the TCPO are reproduced in Table 4 showing the desired capital and maintenance costs and revenues needed for various categories of urban local bodies.

It will thus be seen that the current backlog in maintenance expenditure is heaviest in the medium-sized towns (Classes B and C), followed by small-sized towns (Classes D and E), larger towns and cities (Class A), and lastly the largest urban centres (Class A Special). In *per capita*

TABLE 4 DESIRED PER CAPITA MUNICIPAL COSTS AND REVENUES, 1956-57  
(In Rupees)

<i>Class of urban local body</i>	<i>Capital cost</i>	<i>Maintenance (annual)</i>	<i>Revenues (annual)</i>	<i>Surplus</i>
1. A Special	307.00	29.00	37.80	8.80
2. A	249.00	27.53	33.60	6.07
3. B	193.00	25.10	29.40	4.30
4. C	153.00	21.67	25.10	3.43
5. D	121.00	19.67	20.80	1.13
6. E	96.00	18.77	18.90	0.13

SOURCE: *Report of the Committee on Augmentation of Financial Resources of Urban Local Bodies, op. cit.*, p. 117.

terms, however, the desired costs and revenues are directly related to the various classes of urban local bodies. The optimum revenue has been pegged at a higher level than desired maintenance cost, in a tapering manner, to emphasise that it is possible to operate the essential municipal services through appropriate user charges so that expenditure on purely social services, like education, etc., can be financed from the general taxes. In actual practice, of course, each local authority will have to strike a balance between general and specific financing of municipal services, although it is possible to relate the costs and benefits of a large segment of municipal services through appropriate and specific charges without violating the principle of equity.<sup>3</sup>

## FISCAL COOPERATION

### *Taxation*

There are three distinct areas in the field of local taxation where there is scope for inter-governmental cooperation. These are : (a) delimitation of tax fields, (b) tax substitution, and (c) tax administration. Each of these areas are considered below in seriatim.

*Delimitation of tax fields:* The necessity for allocation of few taxes for the exclusive use by the urban local bodies has been repeatedly emphasized by a number of expert committees. The Taxation Enquiry Commission (TEC) (1955) recommended 6 taxes to be reserved for the local bodies and, in addition, 4 other taxes were also recommended for permissive utilisation. The Commission hoped that if suitable steps are taken in this direction, then the need for any constitutional

<sup>3</sup>In fact, it is easier to apply the 'exclusion' principle in the sphere of municipal (or local) services, than for national services. See, in this connection, the excellent paper by William S. Vickrey, "General and Specific Financing of Urban Services", in Howard G. Schaller (Ed.), *Public Expenditure Decisions in the Urban Community*, Washington, Resources for the Future Inc., 1963.

reservation for local taxes would not be necessary. However, the trend seems to be in the opposite direction and "the state governments do not completely divest themselves of the power to raise revenue from these taxes and most of them continue to exercise the right to levy one or another of these taxes for their own purposes".<sup>4</sup> The state governments plead that their limited tax base is responsible for the anxiety to utilize their tax powers fully, in the absence of local enthusiasm to do so. However, as the TEC pointed out, this argument cuts at the root of self-government, and if local authorities are to function effectively and attract proper leadership, their financial autonomy has to be safeguarded.

There is another aspect to the tax reservation issue. The urban local bodies have been assigned about 15 taxes of which not more than 5 are actually exploited, mainly because of the unproductivity nature of many of these taxes. The fact that the higher levels of government tend to reserve the most productive and elastic sources of revenue is well-known, but it is also the duty of the higher governmental units to see that at least a few of these taxes could also be shared with the lower units in order that the overall tax structure of each level of government reflects certain elasticity and buoyancy. From this angle, it would appear that sufficient attention has not been paid to local taxes as has happened in the sphere of state taxes. The result is that the list of taxes leviable by the urban local bodies is no indication as to its revenue potentiality.

*Tax Substitution*: The question of tax substitution arises in the case of abolition of *octroi*; and better utilisation of the tax on trades, professions and employment by the sales and income taxes respectively. The evils of *octroi* are well known and the desirability of its abolition has been accepted by all experts starting from Sir Charles Trevelyan in 1828. Recently, the RURC and the interim report of the Road Transport Taxation Enquiry Committee on *octroi* and other check posts (1967) have suggested that, *in lieu* of *octroi* the urban local bodies should have either a share in, or the power to impose a supplementary levy on the state sales tax. The exact manner of its substitution has been left to the individual states, but it is presumed that the urban local bodies in states without *octroi* would also be able to diversify their revenue base and enjoy the advantages of the most elastic item of state taxation. It might be preferable to allow the larger municipal corporations the freedom to levy their own supplemental rates on sales tax, subject to certain maximum limit prescribed. The other urban local bodies could expect a prescribed share of the tax proceeds distributed on the basis of local consumption or population.

<sup>4</sup>*Report of the Rural-Urban Relationship Committee, Volume I, op. cit., p. 87.*

The other question of tax substitution of the local tax on trades, professions and employment by the income tax is slightly more complex. Although it is recognized that the 'professions' tax is a type of limited local income tax, it has not been found possible to utilise the source properly for two main reasons: (a) it is not comprehensive enough to tackle all sources of income or all types of assess; and (b) the constitutional restriction of Rs. 250 placed on each assessment limits its proper utilisation. Although, both the Local Finance Enquiry Committee (1951) and the TEC suggested the raising of the maximum limit permissible, this is not the heart of the matter. Under any scheme of local income tax, the greatest difficulty arises as to how non-residents are treated, to what extent unearned income is taxed, and whether it is possible to bring corporate income under local taxation. Even if we leave the question of company taxation for the present; to be equitable, the local income tax has to allow rebate or at least impose somewhat lower taxes on the non-residents and, correspondingly, tax unearned income at higher rates than earned income, if not also to allow certain deductions to take into account differential family circumstances. None of these refinements can be achieved under the existing local 'professions' tax. The logical solution to this problem is to impose a supplemental levy on the income tax to be distributed among the urban local bodies on the basis of origin. The local authorities' share might be routed through the state governments and deducted from the divisible pool of income tax. In such an event, the existing right of the Madras Municipal Corporation to tax company profits may have to be withdrawn, as company taxation does not fall within the divisible pool between the centre and the states.

*Tax Administration:* We have already discussed how the machinery of tax administration in the states and at the centre might be utilised for removing certain objectionable features of local taxes. Suggestions have also been made from time to time to centralise assessment, if not also the collection, of municipal property tax by creating state valuation boards, and so on. If economy is the main purpose for centralised assessment of property taxes, then the obvious choice would be to look towards the machinery of the central government as the taxing authority for urban estates. On the other hand, if under-assessment and tax delinquency in property taxes are to be corrected, then it is to be proved conclusively that tax administration, in performance terms, is better in the states and at the centre with respect to sales tax and income tax—the two major tax items at the upper levels of government. Unfortunately, such conclusive evidence is hard to come by, although, one might but conjecture that the situation would be far worse in respect of these taxes, compared to the local property tax, because of higher stakes involved.



The principal objection to centralisation of property tax administration is that it is the most important tax available with the urban local bodies and any attempt to lighten the burden of local tax administration would mean local taxation without responsibility. The economy argument has certain merits so far as the smaller urban authorities are concerned. But the approach in this direction could as well be voluntary assistance by the state governments by approving the list of a panel of valuers, or even to assist local valuation by a small nucleus of qualified staff appointed for this purpose.

The analogy of centralised property valuation in the UK is somewhat misleading. There centralisation took place in the wake of administration of grants and since the Board of Inland Revenue administers both income tax and death duty at the national level, it is economical to have unified valuation of real property for both central and local taxation.

The problem of under-valuation can be controlled in an indirect manner by the state governments to compulsorily acquire estates at the value declared by the owners.<sup>5</sup> The problem of tax delinquency needs to be tackled through the grants system so that efficiency in tax collection is rewarded and inefficiency penalised by adjusting the quantum of general purpose grants to the urban local bodies.

Sometimes it is argued that if property valuation is correctly done, the prevailing 'high' rates of property taxation could be reduced without any loss to the municipal exchequer. This is quite true; but, the supposedly 'high' rate of property taxes in many of the municipal corporations is due mainly to the desire for progression of rates, rather than to under-valuation. It was demonstrated by Kaldor some years back that even under a proportional tax rate of about 45 per cent on income tax, the total tax revenue would be the same.<sup>6</sup> If the tax base is narrow, either due to limited coverage or under-assessment, the rates of taxation would naturally rise, sometimes even higher than the tax base itself, as happened in the UK after derating of properties during the depression of the 'thirties'.

The important point which ought to be emphasised is that the techniques of revenue administration are quite different from those of penal administration, although for practical reasons both types of administration might function together, as in the case of customs. The problem of evasion can be controlled to a substantial degree by varying coverage, tax base, and tax rates, so that the incentives to evade, either unilaterally by the assesses or in collusion with tax officials and/

<sup>5</sup>S. Bhoothalingam, *Final Report on Rationalisation and Simplification of the Tax Structure*, New Delhi, Government of India, Ministry of Finance, 1968, p. 46.

<sup>6</sup>N. Kaldor, *Indian Tax Reform: Report of a Survey*, New Delhi, Government of India, Ministry of Finance, 1956, p. 17.

or local politicians, are substantially reduced. If the gain through evasion exceeds the tax liability, then the problem cannot be satisfactorily tackled by revenue administration. Purely from the revenue point of view, it is not worthwhile to spend the marginal rupee on tax administration, if this cannot be recovered from the tax proceeds. If extra revenue considerations demand imposition of a tax rate higher than the marginal rate, then revenue administration has to be supplemented by penal administration. The point to note here is that local property tax has no other over-riding social objective to fulfil than to contribute to the local exchequer and, therefore, any plan for streamlining its administration must balance the costs and revenues of the reorganisation proposal.

### *Revenue Transfer*

Revenue transfers from the higher to lower-levels of governments can take place in two ways through : (a) tax sharing and assignment of revenue : and (b) grants. Some of the issues relating to these two aspects of revenue transfer from the state governments to the urban local bodies are discussed below.

*Tax sharing and assignment:* In India the pure variant of tax-sharing which originates from inter-governmental contracts are unknown, and both the total quantum to be distributed and the manner of its distribution is decided by the upper-level government. In any case, the number of taxes 'shared' with the urban local bodies is extremely limited and would include only the state entertainment tax, and the motor vehicles tax. In the case of entertainment tax, a high percentage is retained by the state governments as 'collection charges', so that it resembles sharing; although, technically, this is assigned to the urban local bodies in three states. The motor vehicles tax is 'shared' in a different way. Since the tax was provincialised in the late 'thirties, the local authorities deprived of this tax source are compensated to the extent of revenue foregone. This, therefore, partakes, of an *in lieu* or compensatory grant.

The Zakaria Committee suggested proper tax-sharing with the urban local bodies in respect of those state taxes which have predominant local bases. Such taxes are stamp duty, electricity tax, entertainment tax, etc. The proceeds of these ought to be distributed on the basis of origin, and not in terms of needs. Regarding the other two taxes, namely, the assigned entertainment tax and compensatory share of motor vehicles tax, proper criteria should be evolved both for the percentage to be distributed as well as the methods for *inter se* distribution.

*Grants-in-Aid:* Grants are mainly of two types : (a) general purpose, and (b) specific purpose. In India, the movement for a general

purpose grant to the urban-local bodies is of recent origin, and only three states have recently formulated comprehensive schemes in this regard. Generally speaking, these grants are distributed on a *per capita* basis, and this is inversely related to the size of the urban local bodies. Although this is easier to administer than a complex system of formula-based grant, the simple *per capita* index does not take into account the relative resources and tax efforts by the urban local bodies. These two aspects are sometimes considered either in the administration of a specific grant or in a general way to attain certain desired level of taxation by coaxing the municipal bodies through administrative measures. The position is undoubtedly clumsy and refinement in the distribution of a block grant will have to be achieved in course of time through simple formula-based distribution. If needs are reflected in population, local resources may be related to property valuation and tax efforts could be measured through tax rates, then the formula for distribution of a block grant would be:

$P \times \frac{r}{V}$  where  $P$  stands for population,  $V$  stands for property valuation, and  $r$  represents property tax rates. Necessary weightage to population could be given with due consideration to the size of the local body, the topographical aspects, any special characteristics of the population, etc. More than the refinement of grant, what is needed is the recognition of its necessity by the state governments and the preparation of detailed code for its administration.

The major advance in the grants system has to be in the direction of conditional grants for development purposes. In this sphere, more than in the sphere of unconditional grants, the state governments have not played their part well *vis-a-vis* the urban local bodies. A comparison between the grants received by the urban local bodies from the states, the state governments' receipts from the centre reveals that the ratio stood at 1:14 in 1960-61. Since then, the dependence of the states on the central conditional assistance has increased due to the intensification of planned development. That similar developments have not taken place in the municipal sphere shows that the urban local bodies are not integrally linked with the state planning process. It would be unfortunate if this tendency is allowed to continue for long, and it is but proper that suitable assistance for urban development in the form of plan grants covering all the major components of facilities be accorded to the urban local authorities. Care should be taken to see that the long-term needs of development of backward and undeveloped urban areas are met by the development grants and other necessary assistance.

The percentage of grants to the urban local bodies stood at about 14 per cent in 1960-61. The precise share of external assistance that can be absorbed by the local bodies, of course, depends very much on

the pattern of central (state)-local relations and the status of the local government in the governmental hierarchy. But, even under a paternalistic system of local government, the share of the external finance can safely be put around 50 per cent of the local budget, without unduly affecting local autonomy.

## NEW SOURCES OF REVENUE

### *Taxation*

A local tax may be defined as one where the local government has the freedom to decide the tax rate. From this definition, it would appear that the scope for fresh avenues of local taxation is limited, apart from better utilisation of existing taxes and increased devolution of resources from the state government by way of tax-sharing and grants. We have already indicated that the local property tax should be the mainstay of the urban local authorities, to be supplemented by other subsidiary tax sources. It is sometimes argued, with some justification, that instead of frittering the energy over a number of tax sources, the better course for the urban local bodies would be to concentrate on a single tax. However, the danger of a single tax base is that with increased responsibilities of the local authorities the dependence on external devolution becomes excessive to the detriment of fiscal autonomy. This is already evident in the UK where presently a desperate search is being made for new sources of *local* revenue. This, of course, does not mean that some of the unproductive and objectionable local taxes should not be abolished altogether. In fact, it would perhaps be better to have a limited number of purely local taxes for the exclusive use of the urban local bodies.

Having said this, it is not quite out of place to mention the possibility of two new local taxes on: (a) floating population in metropolitan and industrial towns, and (b) urban land values. These two taxes are briefly explained below.

*Tax on floating population*: A tax on floating population was recommended by the Zakaria Committee for the metropolitan areas and the larger urban centres of the country. The tax can be operated in the same manner as a pilgrim tax by levying an additional surcharge on the outgoing rail and bus passengers within a radius of 150 miles. This will primarily be a tax on the daily commuters to the larger urban centres, although even the resident population will be subject to this tax when they have to travel occasionally in the fringe areas.

*Tax on urban land values*: A suitable local tax on urban land values has been advocated recently to mop up the unearned increments in the value of urban land. The proceeds of the tax can be utilised for urban development purposes. This type of tax will exert a dampening influence

on speculation in urban land. Although the desirability of the tax is not disputed, in practice it might be difficult to operate the tax because of valuation difficulties. Essentially, the tax is in the nature of a capital gains tax and, therefore, it might be advantageous to have an integrated system of valuation and tax collection with the central government, as in the case of a local income tax. Another variation of the urban land tax could be a tax on undeveloped land, which would discourage speculative holding. Such a tax is already being levied in Madras by the state government.

#### *Non-Tax Revenue*

Although it has been suggested earlier that greater utilisation of non-tax revenue sources should be made to finance specific municipal services, in practice it might be difficult to apply this principle for the executive financing of particular services. Some amount of subsidy from the general revenue is to be expected for most of the municipal services, except those which are in the nature of enterprise activities. Recently, there has been a feeling that the municipal utilities could be run in such a way as to contribute to the general revenue of the local bodies. In practice, such an eventuality would be rather limited. Moreover, profits from essential services, like public utilities, ought to be utilised for the development of the particular services and not diverted to the general revenues as this violates the principle of ability to pay. There is, however, no harm in diverting profits from other municipal enterprises for general development of the urban area.

### CONCLUSION

From the foregoing discussion it is clear that a major advance in local finance is possible through inter-governmental cooperation and revenue devolution in a systematic manner. The integration of the urban local bodies with the state and national planning process will substantially shift the responsibility of financing urban development to the upper-tier governments. However, the main initiative in this direction must lie in the state governments, although the passive role of the central governments *vis-a-vis* urban development also needs to be changed. The process of inter-governmental fiscal cooperation would be considerably facilitated by the creation of local or municipal Finance Commissions in each state at five-yearly intervals. Without the prestige and authority of such impartial analysis and advice, the entire field of state-local fiscal relations remains vague and uncertain.

The extent of the supposed gap between the desired and actual level of municipal services and revenue resources has already been indicated. It is not difficult to bridge the gap, provided it is recognised that the

municipal authorities have an important role to play and, consequently, the means for a purposive participation by these self-governing institutions in national development must be found. However, it is difficult to see how the present stagnation in local resources can be overcome, unless municipal finance is related to the more elastic resource bases available with the states and the centre. □

# Creation of a Cadre of Local Civil Service Personnel\*

K. Venkataraman

THIS PAPER attempts to supply the perspective in which the problems of creation of cadres of local civil service personnel in India should be viewed and to discuss the general outlines of the manner in which it should be tackled.

If one were asked to specify the desiderata for successful local government, the requirement of competent staff would be one of the most frequently mentioned, though the ranking of the desiderata may vary according to individual judgment, some insisting on finances as the most important single factor, others insisting on staff and yet others insisting on local autonomy. From whatever angle local government is looked at, the problem of staff has a vital relation to the other major problems facing it. The success of local representative government may very largely be attributed to the effective combination of the different qualities which are contributed by elected representatives and non-elected employees.<sup>1</sup> The pace of decentralisation will be conditioned by the availability of competent staff and it is very much on the performance of the staff that the question depends whether more functions will be delegated to the local bodies or their existing functions will be taken away. Besides, in developing countries local bodies have the potential of serving as engines of economic development.<sup>2</sup> If any breakthrough is to be achieved in economic development through the agency of the local bodies, it is the staff that will have to act as a catalyst to that process.

The staff problem has a vital relation to financial problems also. It has now generally been recognised that low paid staff and low resources are segments of the same vicious circle and that an illpaid and unqualified staff will not only fail to raise resources but also to spend well whatever has been raised. The best value may not be obtained for

\*From *Indian Journal of Public Administration*, Vol. XIV, No. 3, 1968, pp. 753-71.

<sup>1</sup>Humes and Martin, *The Structure of Local Government throughout the World*, Martinus Nijhoff, 1961, p. 150.

<sup>2</sup>For an elaboration of a view of this kind, see, for example, K. Venkataraman, "Local Finance in Developing Countries", *Journal of Local Administration Overseas*, London, July 1965.

the money spent.

If the importance of staff in the local government is well recognised so is the need for the creation of professionalised<sup>3</sup> service for the local government personnel. For, when we speak of the staff problem in local bodies the question is not one of finding some bodies but of ensuring reasonable efficiency. In general terms, the advantages of having a professionalised service with built-in prospects for transfer, promotion, etc., are clear enough. If integrity, competence, impartiality, contentment and devotion to duty are the hallmarks of a good civil service, then a local civil service with inter-transferability provides for a wide variety of advantages which do not otherwise exist. It helps, on the one hand, the personnel to acquire experience in different local bodies and in different circumstances which gives them a much wider approach to the problems of local government and a much greater competence to tackle individual problems. At the same time it provides for the best deployment of available personnel and for redeploying them according to the requirements of local bodies from time to time. It supplies a framework for promotion from one grade to another which sustains the interest of the personnel in the service and also provide a wider, useful and natural base for recruitment to the higher categories. Persons transferable from one local body to another can also have a feeling of greater freedom of operation without any inhibition that their entire career will be at stake if they 'offend' the non-officials of any particular local body. This feeling of freedom will make them act with much greater sureness and speed than the feeling that their job is not to get things done but to keep clear of 'trouble'. Besides, there is obviously greater security of service in a professionalised civil service than when the appointment is at the behest of a particular local body. There is again the advantage that periodical change of job and environment facilitates a freshness of outlook which will otherwise be lacking. A professionalised civil service also hits up the morale of individual civil servants and gives them prestige in the public eye, self-confidence and a greater sense of social responsibility and, compulsive efficiency'.<sup>4</sup>

<sup>3</sup>We shall be using later another term 'provincialization'. This, in its broadest, would mean creation of a cadre by the State Government.

<sup>4</sup>"Most obviously missing in the local government services of many developing countries, is a sense of professionalism. Professionalisation of the service is a most important objective because, from it, the employee gains a sense of compulsive efficiency, arising from the fact that there are standards established for doing the job and if these are not maintained, he knows that his colleagues, informed critics, will be scathing. It is to be hoped this will help produce, among other things, that spirit of public mindedness which is so extremely difficult to promote." Henry Maddick, *Democracy, Decentralisation and Development*, Bombay, Asia Publishing House, 1963, pp. 184-5.



Yet another reason is that a civil servant forming part of a greater whole be able to enforce discipline and collect taxes better. The Report on the Augmentation of the Financial Resources of Urban Local Bodies makes the specific point that the collection of taxes is higher in states like Madras and Kerala where there is a provincialised municipal service for municipal commissioners and cites this as a ground for provincialisation.<sup>5</sup>

While such are the advantages it may be said that professionalisation of the staff may create a lack of sense of identification with any particular local body. It may result in a feeling of insularity that is detrimental to whole-hearted cooperation; bureaucratic slowness may replace speed and enthusiasm in the implementation of projects. The stake in one's career becomes high but the stake in a particular local body becomes low. While all this can happen, the balance of advantage clearly lies in the creation of a local civil service which makes the optimum use of men and frees them from an attitude of *laissez faire*. Besides, arguments that professionalisation would be against local autonomy cannot always be valid. For one thing, it would depend on what we consider essential to local autonomy. If central and state governments are enjoined by the constitution to recruit persons through Public Service Commissions there is no reason why local bodies should have scope for recruiting by patronage and discretion rather than by strict merit. Historically, the reasons for non-institutionalisation of a merit system in local bodies seems to be not so much because it was specifically held to be prejudicial to local autonomy but because the problem of local government personnel was not then so demanding as to warrant an institutional merit set-up.

In fact, even from the point of view of local autonomy, there can be situations where utter lack of mobility can be a handicap rather than a benefit. If a local body which has freedom to choose its own employees happens to choose unsuitable types who can establish no rapport with non-officials, it will have no means of getting rid of such persons save by severe disciplinary action which may not always be justified. It may even happen that some of these appointments might have been politically motivated and if a council of a different political orientation gains power it may be glad to get rid of such persons as much as the persons themselves may like to get away from an unfavourable situation. Besides, stay-put local government personnel may gather political moss and enter into the tempting game of local balance of power. Hence, even those who argue in the name of local autonomy will realise the advantages of a measure of intertrans-

<sup>5</sup>Government of India, *Report of the Committee of Ministers on Augmentation of Financial Resources of Urban Local Bodies*, New Delhi, Ministry of Health, 1965, p. 44.

ferability and loss of patronage may be a price which they may be willing to pay for such an advantage.

While, thus, neither the important role of the staff in local government nor the need for a professionalised local civil service is very much in doubt, in practice these considerations have suffered neglect. Just as local government itself has suffered from comparative neglect, these problems have not received any deep consideration at the hands of politicians and administrators.<sup>6</sup> Decisions relating to these important aspects are taken in an *ad hoc* fashion and not with a clear sense of the broader problems of local government.

It is equally important to realise that the staff problems and the problems of creation of a local civil service cannot be dealt with in a purely theoretical way and in isolation from the general problems of local government. Any practical solution to these problems can be formulated only in the context of a broader framework and an awareness of the perspectives. It is, therefore, necessary to underline at this stage the various practical aspects that one has to keep in mind in trying to apply a theoretically valid solution of a local civil service to the personnel problems facing local government.

To begin with, obviously, the staffing is very much dependent on the types of local government in a country and the way in which the local government institutions have evolved. In some countries, local government institutions have been in existence for a long time and the current local administration set-up is only a broad recognition of a traditionally grown up system as modified from time to time according to needs. On the other hand, local government institutions may have been simply created and planted in some countries. Any survey of local government throughout the world will reveal that there is a diversity of approach among various nations to the problems of local government and that such diversity cuts across the developed and the developing countries.

The staffing pattern again depends on the spirit informing the state in regard to local government. The manner in which the usefulness of local government in the body politics is viewed and the ideas of local autonomy that prevail will very much influence the personnel system.

In some developing countries the dearth of qualified personnel may also be a factor relevant to the decisions to be taken. There may be greater need for the limited manpower and hence local government staffing problems may not receive high priority.

<sup>6</sup>Thus, even in England, "...local government is unquestionably behind the civil service and the larger industries in the whole question of "personnel management". Institute of Public Administration. *The Elements of Local Government Establishment Work*, London, 1951, p. 119.

Yet another general consideration is that local governments are creatures of state statutes and the provisions in regard to staffing may not have been drafted with an adequate degree of care and forethought in the midst of so many problems awaiting decisions in the drafting of local government statutes and piloting them through the legislatures. The question of the availability of finance to provide for a reasonably well paid local civil service may also have prevented due regard being given to staffing problems. In a federal country, again, each state may have its own views on local autonomy and decentralisation.

Apart from these considerations, it is also very important to realise that the problem of creation of a local service is really a whole set of problems. We have, for example, in India, different types of local institutions, viz., municipal corporations, municipalities and what are known as the panchayati raj institutions. We have different types of personnel like the executive personnel, the ministerial, the top technical, the intermediate technical, the teachers, menials and so on. To build up a satisfactory personnel system for all these categories is a job of considerable complexity requiring a good deal of thought. The problems of each set of personnel will require separate examination and treatment

It is because of the wide variety of local conditions and approaches to local government that we see a spectrum, as it were, of staffing patterns in the local governments of the various countries of the world. We may usefully turn to have a look at this spectrum before we concentrate on the Indian situation.

## II

The staffing patterns in local government in the various countries of the world reveal four different major approaches, with a number of variations in each of them. The four approaches are as follows: (1) integration of central government and local authorities system; (2) a unified local government service, separate from the central government service; (3) a separate personnel system for each local authority; and (4) loan of staff.<sup>7</sup>

Yugoslavia and Morocco are examples of an integrated system of civil service. In Yugoslavia all civil servants employed by the central government, the republics or the municipalities have equal rights and may on the basis of competitive examination move freely from one post to another at any level within the framework of a single civil service system. In Morocco, municipal officers are all recruited and administered by the ministry of the interior and attached to local authorities.

<sup>7</sup>The treatment here is based on pp. 48-50 and 73-75 of *Decentralisation for National and Local Development*, United Nations, New York, 1962.

They belong to a cadre separate from other officers of the ministry of the interior but their salaries, status and other conditions of service are the same. They are transferable from one town to another by the minister of the interior.

The system of a unified local government service has also its variations. Some typical examples are to be found in Ceylon, Western Nigeria and Ireland. The number of countries with such unified local government services seems, however, to be only a few. The common element in such unified local government services in different countries is that an independent board established by law within the general purview of the ministry of local government has full powers to make appointments to posts in the local government service, to transfer members of the service between posts in their service and to exercise disciplinary control over them. The board may delegate its decision for appointment and dismissal of certain staff, e.g., the junior officers, by the local authorities themselves subject to the overriding principle that the final responsibility rests with the board. Local councils may recommend or even appoint staff subject to the board's approval. Or personnel which local governments may appoint are eligible for transfer to posts within the unified service only after appointment or certification by the board. The scope of the local government service may cover all authorities and staff as in Ceylon or only in certain salary levels as in Western Nigeria.

The largest amount of variations is in the third category where there is a separate personnel system for each local authority. At one extreme are the dual systems in the Americas where local authorities are left to their own devices with respect to employment of staff. More commonly, certain aspects of local government personnel administration, such as salaries, pensions, qualifications of certain technical personnel, etc., may be prescribed by the central government and the latter may render recruitment and other services to local authorities, the combination of these falling short of a unified local government service. This is perhaps the most prevalent arrangement in many countries. This is, however, rather unsuitable to rural authorities in developing countries which will be unable to attract and retain technical personnel under such system.

As examples of unitary trends in this category we may discuss briefly the experience of the United Kingdom and the United States. In the United Kingdom, local authorities operate independently of one another and of the central government, except as regards certain matters which are subject to control arising from the payment of government grants. As regards staffing and organisation, in particular, common action has been possible by the setting up of the Local Authorities' Conditions of Service Advisory Board in England and Wales (and a

similar committee in Scotland) on which are represented the English local authority associations and the London County Council as well as representatives of the employers' sides of the national joint councils in local government. The board was the result of the felt need of the local authorities for an organisation that would provide them as employers with services and sources of information comparable with those given by employees' organizations to their members. The functions of the board include the collection of information with regard to conditions of service in general and those in the local government service in particular, the coordination of the activities of the employers' side of wage negotiating bodies and the exchange of information with other organisations.

A committee under the chairmanship of Sir Henry Hadow reported in 1934 on the qualifications, recruitment, training and promotion of local government officers and its recommendations were gradually accepted. One of the results was the formulation of a Scheme of Conditions of Service of the National Joint Council for Local Authorities' Administrative, Professional, Technical and Clerical Services in England and Wales, which covers recruitment, qualifications, training, hours, leave, discipline, sick pay, allowances and expenses, as well as salary scales for various groups.<sup>8</sup> Thus there has been a lot of collective thinking on the problems of local government personnel.

The experience of the United States of America is too diverse and extensive to be dealt with here. There the historical trend has been a shift from the spoils system to a career system of a comprehensive nature where merit is given its due place. We may, however, note here that "although much progress has been made, the process of recruitment and selection on the municipal level is still in its infancy."<sup>9</sup> We may, in particular, also note the problems of small cities in evolving a career system. In this connection a mention should be made of the New Jersey plan, the Massachusetts system and the Michigan demonstration project. Under a New Jersey Law, as early as 1908, municipalities by referendum may accept civil service assistance from the state. The Civil Service Commission will perform personnel functions of the municipality without cost. Once a municipality has voted to join the system, its decision is irrevocable. The plan has proved fairly popular in the state.

A Massachusetts civil service law dating from 1884 entrusts the State Civil Service Commission with the administration of local civil services. In Massachusetts, cities of 100,000 or more in population

<sup>8</sup>See Chapter 1 of Institute of Public Administration, London, *The Elements of Local Government Establishment Work*, *op. cit.*

<sup>9</sup>Benjamin Baker, *Urban Government*, Honolulu, East-West Press. The description of the American practices here follows this book.

are required to be under state control. For cities below this number, the option of system of New Jersey prevails. In a study of this plan it has been concluded that the state agency by assuming a police man's role tended to ignore the positive aspects of personnel administration. An elaborate system of employees' protection against removal was developed but programmes for modernization of recruitment and examination techniques, a more adequate transfer system and above all more effective use of statewide eligibility lists, one of the really important advantages of a state personnel system languished on the vine.<sup>10</sup>

In Michigan, the Municipal Personnel Service, an affiliate of the Michigan Municipal League, provided, on cost basis, the cities with all the technical functions needed in connection with the personnel programmes.

The attempts made by some of the states in the USA to solve the problem of recruitment in small cities not only prove that some kind of unification of practices within a state is possible but also that different states might follow different methods in solving the problems.

We now come to the fourth category of approach to personnel systems, *i.e.*, the system of loaning of staff which is prevalent in the United Arab Republic. As a permanent policy, loaning of staff may not be a real solution to the personnel problem of local bodies and is not in any way preferable to an integrated service. Loaning of staff can always be done as an *ad hoc* measure, if circumstances warrant.

### III

The position in India clearly illustrates why there is a large measure of diversity in local government staffing patterns. The federal nature of the constitution and the integration and reorganisation of states are some of the special complicating factors. This apart, there are different types of local governments and what may be suitable for one type may not be suitable for another and a measure of specialisation is necessary in this field also. Considering the nature of local government it would be convenient to combine municipal corporations and municipalities in one category and rural local bodies popularly known as 'Panchayati Raj Institutions' in another.<sup>11</sup>

Not only are there different types of local governments, there are different types of personnel too. Blindly creating cadres of local civil

<sup>10</sup>Prof. Benson cited by Baker, *op. cit.*

<sup>11</sup> A Study Group on Panchayati Raj Administration suggested in 1961 that "wherever possible the Municipal services may be integrated with the Panchayati Raj Service". The suggestion does not have much to commend it by way of necessity or administrative convenience; and this line of thinking has not been seriously pursued subsequently.

service personnel is not what we advocate. There are certain types of personnel whose provincialisation can be considered almost imperative and others whose provincialisation will be administratively inconvenient. The post of chief executive officer of a local body is clearly of a type which requires to be provincialised whereas teachers employed in local body primary schools are clearly of a type for which provincialisation may not bring in much of administrative advantage. The accounts personnel of local bodies will perhaps stand on the same footing as chief executive officers, since a professionalised cadre of accountants will be less amenable to local pressures and also capable of being integrated with the audit staff of local bodies resulting in a mutual interflow between accounts and audit to the benefit of both.

An optimum system, it can be argued, would be synthesis of the four approaches to the personnel system which we have mentioned above. A proper balance is to be struck among a number of considerations like the need for the state government to have a control over the local bodies and their personnel, the need for local bodies to have a measure of local autonomy and also probably the need for the non-officials of the local bodies to have a feeling that they have an element of patronage, the requirements of the job and for feasibility of forming viable local government services, all these have to come into play. At the top level, it would be best to have a system of integrated services so that top administrative and technical personnel are seconded to local bodies from government service. At the next level, in respect of less senior administrative posts and other supervisory posts and also such of those technical posts which would admit of falling into a single unified cadre, a unified local government service can be attempted. At a still lower level, the local bodies can be given the freedom and discretion to select and appoint personnel for minor municipal posts and all menial posts. Loaning of services to local bodies may not be necessary on many occasions except when big projects are undertaken by them and for which it would not be worthwhile for them to recruit and employ permanently a set of people.

It is also necessary to consider at this stage itself the need for a Local Government Public Service Commission of the Ceylon type or a more limited variety. The Calcutta Corporation has set up a Municipal Service Commission for appointments to posts carrying salaries ranging between Rs. 250 to Rs. 1,500 but posts carrying a salary higher than Rs. 1,500 are filled on the recommendations of the State Public Service Commission. In Rajasthan, a Panchayati Raj Service Commission at state level has been set up and recruitment to services is made by a committee at district level presided over by a member of the commission. In Maharashtra, divisional and district selection boards have been created by law for zila parishad and

panchayat samiti appointments. It does not, however, appear that a separate Local Government Service Commission has any overwhelming advantages in the Indian set-up. In Ceylon such a Commission was established very early and it performs not only the tasks of recruitment but also other items of establishment work like a government department. In India, State Public Service Commissions have been constituted under the constitution and they could very well perform the duties of recruitment of the staff of the local bodies. This would be a reasonably good and less expensive arrangement. The other items of establishment work like those of posting of persons legitimately belong to the state government or the Director of the Municipal Administration and the local bodies themselves rather than to an independent commission. This is, however, necessary in regard to systematic recruitment in local bodies in India, viz., that all such recruitment may be done by the respective Public Service Commissions to whom vacancies can be notified as and when they arise and which can conduct examinations and tests every year and allot the required number of candidates to local bodies. Here the only difficulty is that it is necessary to ensure that all the candidates get accommodated in some local body or other according to the order of merit if at the same time the local bodies themselves should have a limited option in choosing particular successful candidates. In the alternative the task of allotment can also be left to the Public Service Commission which is independent and which can itself post the people initially to some local body or other with reference to their native place and so on. The problem of allocations will, of course, be a real problem only if the recruitment is not done to a provincialised service. Recruitment through Public Service Commission for local body posts is, however, a measure which can be carried out independently of any decision to provincialise a particular service or other.

It should, however, be remembered that creating a cadre of local civil service personnel will in the long run produce a certain cohesion and a collective awareness of their rights and privileges. This may lead to collective demands for increase in salaries and other service benefits. This is, however, not to be grudged. This would, in any case, bring into further prominence the question of disparities in emoluments between state and local body employees. One of the surest ways of scotching any move for creating a cadre of local civil service personnel would be to link it with the question of disparities. The latter is no doubt a very related question and without solving it there cannot be a wholesome solution to the problem of local government administration. However, state governments are not likely to accord high priority to the removal of disparities in emoluments between



the state and the local body employees<sup>12</sup> and it would be administratively inexpedient to link up one issue with the other. 'Provincialization' can proceed without necessarily removing such disparities.

We may now proceed to examine the personnel system in vogue in the municipalities in various states in India. The need for a state-wise cadre for municipal employees has been emphasised often by administrators and political leaders for over 40 years now.<sup>13</sup> The state of Madras was the first to have organised a State Municipal Service.<sup>14</sup> Kerala, Mysore and Andhra Pradesh have formed similar services, which in the case of Kerala and Mysore are confined to executive officers only. Andhra Pradesh has recently framed service rules for municipal commissioners, Health Officers and Municipal Engineers. The Municipal Commissioners' Service Rules constitute a system of unified municipal service for the whole state for the exclusive purpose of postings to the municipalities of different grades as well as to the senior posts of the Municipal Corporation of Hyderabad. The Health and Engineering Services, on the other hand, form an integrated service to serve the combined needs of the state government and local bodies. The officers of these services draw their pay and allowances from the state government which recovers from the local bodies concerned the amount of pay, allowances, loan and pensionary contributions in respect of administrative services but on 25 per cent of the expenditure on health officers. In case of engineers the entire amount is recovered in Telengana but only 50 per cent in the Andhra region of the state. In some of the states, such as Uttar Pradesh and Mysore, there are integrated health services for the state and the municipalities and in Uttar Pradesh the salaries of health officers are met by the state government. In Orissa, the government sends officers on deputation from Orissa Administrative Service, State Engineering Service and Public Health Service to municipalities and recovers the expenditure. There appears to be a growing awareness in other states also of the need for having state Municipal Services. Recent legislation in Rajasthan, Madhya Pradesh, Mysore, Punjab, Maharashtra and Uttar Pradesh has provided for creating state cadres.<sup>15</sup> These legal provisions,

<sup>12</sup> e.g., The Madras Pay Commission of 1959-60 took the view that for ministerial and non-technical services some differences appeared to be "justifiable and necessary."

<sup>13</sup> For example, "a plea for an open competitive municipal service examination for the whole of India", K.T. Shah and G.J. Bahadurji, *Constitution, Functions and Finance of Indian Municipalities*, P. S. King & Sons, 1925, pp. 109-111.

<sup>14</sup> See V. Venkata Rao, *A Hundred Years of Local Self-Government in Andhra and Madras States*, Local Self-Government Institute, Poona, 1960.

<sup>15</sup> It appears in Uttar Pradesh there was some opposition to provincialisation and

however, have not so far been implemented. In Rajasthan, not only the superior services, but also the subordinate services including the class IV services have by rules been created into state cadres but the rules have not so far been implemented.

The Rural Urban Relationship Committee which has examined the question of municipal personnel<sup>16</sup> found "that the municipal services today are hardly competent even to perform normal functions of local government". It found that the disciplinary control vested in certain municipal councils resulted in the officers and staff carrying favour with the councillors and involving themselves in factional politics; autonomy in the matter of appointment and removal of municipal employees seriously undermined the municipal administration. To remedy the situation, the committee recommended that integrated cadres should be created for technical services (*viz.*, Engineering, Medical and Health, and Education) and a unified cadre for administrative services. These cadres could have various grades to suit the various types of municipalities.<sup>17</sup>

It will thus be seen that so far as municipalities are concerned, it should not be difficult for the state governments to take effective steps for provincialising some of their services and providing the climate for an efficient personnel system. It is surprising that in spite of the municipal government in India being fairly old, the matter has not received adequate attention in implementation. This appears to be due more to administrative inertia and a failure to realise that some simple steps would improve municipal administration considerably than to any organised or sustained resistance on the part of non-officials. Even now, it is in the municipalities that steps should first be taken to create cadres (statewise or districtwise as the case may be) of such of those posts in respect of which formation or cadres is feasible.

Paradoxically enough, it is in the panchayati raj institutions that provincialisation has been faster though it is precisely where one would suggest a measure of caution. The state governments have only recently set up the panchayati raj system and it is not clear whether the systems would undergo any change, whether more functions would be given to these institutions or whether some of the existing functions would be taken away from them and what kind of other problems would be faced in implementing a personnel system for running day-to-day administration as well as for extension work. Creation of rigid cadres

*(Continued from previous page)*

there was also a writ in the High Court. The Uttar Pradesh Palika (Centralised) Services Rules, 1966, have created nineteen categories of Municipal Service.

<sup>16</sup> See *Report of the Rural Urban Relationship Enquiry Committee*, Vol. I, Ministry of Health and Family Planning, 1966.

<sup>17</sup> *Ibid.*, see the Report for a suggestive scheme.

at this stage may in some cases result in embarrassment to the state government if it wants to cut down some posts as being superfluous.

Official thinking on panchayati raj has always been in favour of creating cadres of local body personnel, though after a period of all-out enthusiasm there is now a more balanced approach. There has been increasing realisation that some of the cadres, particularly on the extension side, have to remain state cadres with the staff being seconded to work in local bodies. One of the recommendations of the Annual Conference on Community Development and Panchayati Raj of 1965 was that class II officers, all extension officers and accountants of the panchayati raj bodies should be members of the respective state cadres. There has also been a consistent and firm recognition that powers of recruitment, appointment, promotion and disciplinary action in respect of the staff of panchayati raj institutions should vest in an authority independent of the elected wing of these institutions. The need for reserving a suitable percentage of certain categories of posts particularly in the panchayati raj and community development departments as promotion quota for employees of panchayati raj institutions has also been increasingly stressed.

The recommendations of the Study Group on Panchayati Raj Administration in 1961 give a good idea of the original official thinking on a 'Panchayati Raj Service' and are worth quoting in full.<sup>18</sup>

1. In addition to the already existing State Services each state may establish a Panchayati Raj Service. Recruitment to this service should be made on a districtwise basis. The service may be divided into different grades. The categories of staffs which should be included in the Panchayati Raj Service should be determined mainly with reference to the functions entrusted to the elected bodies at the various levels. The Panchayati Raj Service should have its own rules.
2. Persons included in the Panchayati Raj Service should be assured of adequate security of service and chances of promotion in the respective departmental cadres of the state service.
3. Wherever possible the municipal services may be integrated with the Panchayati Raj Service.
4. Class IV posts need not be encadred in the Panchayati Raj Service, but rules relating to the terms and conditions of service with service benefits like provident fund or gratuity (or both) and rules of disciplinary control and conduct should be framed.
5. There should be a Panchayati Raj Public Service Commission for each state which will undertake a common state-wide

<sup>18</sup>Panchayati Raj Administration, *Model Rules of Business*, Ministry of Community Development and Cooperation, 1961, p. 52.

- recruitment. After recruitment, the persons will be allotted to the various districts.
6. An authority may be prescribed at the district/block levels which will have powers of control and discipline and power to make transfers and postings.
  7. The services of state servants may be placed at the disposal of the local bodies on such terms as may be prescribed.

Many states have gone ahead in the matter of creation of cadres for panchayati raj personnel and we may briefly consider the position in some of the states. In Maharashtra, class I and class II officers belong to the state services and for each zila parishad, a District Technical Service, class III, a District Service, class III and a District Service, class IV have been constituted. All employees of zila parishads and panchayat samitis belong to these services. The recruitment is made by divisional and district selection boards and the salaries and other conditions of service are regulated by rules. In Madras, the executive officers of town panchayats and commissioners of panchayat unions belong to the state service and the government has power to constitute any other class of employees into a separate service for the whole or any part of the state. In Rajasthan, a Panchayati Raj Service Commission at state level has been set up and recruitment to services is made by a committee at district level presided over by a member of this commission.

In Andhra Pradesh, the staff working in the panchayati raj institutions have been classified into three cadres, viz., the state cadre, the district cadre and the block cadre. Recruitment to the state cadre is done by the State Public Service Commission or by promotion of departmental candidates. Recruitment to the district cadre is done by a selection committee at the district level consisting of the chairman of the zila parishad, the collector and some non official members. Recruitment to the block cadre is done by the president of the panchayat samiti. In the state cadre, the powers of appointment, etc., have been entirely vested in the state government. For the district cadre, the chairman of the zila parishad and the presidents of the panchayat samitis have been declared as the appointing authority from out of approved panels. The chairman and the presidents have also been given powers of transferring persons within the specified zones.

In Gujarat a panchayat service has been created and the state government allocates a certain number of gazetted and non-gazetted officers to it. It is ensured by legislation that the conditions of service of officers transferred to the Panchayat Service are not less favourable than those applicable to them immediately before allocation. To certain classes of posts recruitment is made by the Gujarat Panchayat

Service Selection Board and to others by the District Panchayat Service Selection Committee. Punjab, Orissa and Uttar Pradesh have also taken action to create transferable cadres.

No detailed information is available as to how these cadres created in various states have fared and what kind of practical difficulties have been encountered. We may, however, make one or two comments about Maharashtra and Rajasthan. Maharashtra (and Gujarat too) is not a case of constitution of local civil service personnel *ab initio* or from a single source but is a case where some government cadres, erst-while district board cadres and the new panchayati raj cadres have been fused into new cadres. Though care has been taken in the legislation to sort out the service problems arising out of such fusion, it is not clear whether any major problem has arisen in implementation.

As regards Rajasthan, however, some information is available. A case study of panchayati raj in Rajasthan conducted in Jaipur District<sup>19</sup> has suggested that to improve the morale of the public services, the services belonging to the panchayati raj institutions may be organised at the state level instead of district level. The 'distinct' advantages in such a step envisaged by the study are : (1) there will be more avenues of promotion than now available; (2) chances of harassment would be minimised because of transferability; (3) panchayati raj services are today attracting persons of inferior calibre; and (4) there will be incentive for really good and efficient performance. The study goes on to add that it will be possible to safeguard against the danger of the bureaucratic element by leaving complete administrative control over the employees by way of keeping their service record, making entries therein, recommending their promotions, transfer, etc., in the hands of non-official political chiefs *who would naturally exercise this power on the advice of the Block Development Officer*.<sup>20</sup> What the study thus seems to finally suggest is some kind of a half-measure born out of dissatisfaction with the present set-up. It would be worthwhile to examine the issues involved in some more detail before making any change.

Our survey of the Panchayati Raj Civil Service in various states would thus only confirm our earlier general observation that we have to proceed in the matter with a measure of care, caution and pragmatism.<sup>21</sup>

<sup>19</sup>M.V. Mathur, *et al.*, *Panchayati Raj in Rajasthan, a Case Study in Jaipur District*, New Delhi, Impex India, 1966, pp. 273-4.

<sup>20</sup>*Ibid.*, p. 274, Italics mine.

<sup>21</sup>*cf.* "The question of a Panchayat Civil Service has been considered. Various kinds of experiments are being made in different parts of the country. It would be wise to await the results of these experiments, before the general pattern of such a service might be designed with confidence." Jaya Prakash Narain, Presidential Address in Seminar on "Fundamental Problems of Panchayati Raj" (All India Panchayat Parishad, 1964), pp. 41-42.

Before we leave the subject, however, we may touch upon one or two other staff problems in panchayati raj which deserve mention. Firstly, many of the personnel would have to work in rural areas, even though they may be recruited from urban areas. Here the problem of psychological adjustment and reorientation of attitudes as well as the problem of minimum facilities is involved. It would be wrong to expect that all the people who applied for posts in panchayati raj institutions would be imbued with a high sense of idealism to serve in rural areas. If the government does not try to ensure the provision of minimum facilities in rural areas or to compensate them monetarily the turnover of personnel will be high and we will also get a system of non-resident employees.

One other general problem that may be mentioned in this connection is that even in panchayati raj institutions there are panchayats for urban areas which have not yet become municipalities. Here the conditions and problems are similar to a municipal area. It is necessary to ensure that people who are posted as chief executive officers of such towns have sufficient status and equipment to deal with the problems of growing urban areas. State governments do not appear to have paid enough attention to this problem. Ill-paid, ill-equipped executive officers can hardly be expected to contribute to the smooth transition of the urban panchayat into a well administered municipality.

At the level of panchayats one crucial decision is to be taken, namely, what type of panchayat secretary we should have. A panchayat secretary is necessary for a village panchayat and there are various modes of appointing secretaries like part-time, full-time or one for a group of villages. A clear decision is urgently needed in a number of states and this would involve considerable financial commitments later. If there were full time secretaries in every panchayat in each state (for which the Study Team on Panchayati Raj Finances recommended a central subsidy) then we will have a huge cadre of panchayat secretaries for whom reasonable avenues for promotion will have to be worked out. A district service will be more feasible when there are such a large number of employees.<sup>22</sup>

#### IV

With this very brief survey of the position in India, we come to the question where and how the future line of action lies. What we have said above should make it clear that provincialisation is not a mere administrative refinement but one which could make a far-reach-

<sup>22</sup>For details on the present position of Panchayat Secretaries, See statements 7.1 and 7.2 of *Panchayati Raj at a Glance*, Government of India, Ministry of Community Development and Cooperation.

ing impact on local administration. It should also be clear that it is to be approached not on any doctrinaire lines but with reference to the actual position obtaining in each state. As we have suggested above, the personnel system has to be a 'mix' of the various types possible and it is not as if all cadres should be immediately provincialised in all local bodies. What is necessary is that some one should sit down and sort out the posts for which provincialisation is desirable and feasible. As we have remarked already, the reason why the problems relating to the creation of local civil service cadres have not received adequate recognition at the hands of governments is not so much because of any policy decision on the part of governments or because of consistent opposition by non-officials.

We should remember that local government is apt to be a neglected field of public administration and the problems of creation of a local civil service are a comparatively dull and uninspiring matter for many administrators and politicians. It does not appear to be the case that non-officials will be completely against provincialisation because they will also realise that there must be a way out for getting rid of persons whom they do not like. Even the complexion of the local bodies may change from time to time and members subscribing to different parties and ideologies may come in position. In such a changing situation there is no alternative to provincialisation if the administration is to be carried on smoothly.

Again, it is not as if with the loss of power to appoint a person to a post, the non-official loses complete control over any individual. He does certainly lose his power of patronage and there is no doubt about it. But he still has a measure of control and power to extract work from the official concerned, and he has access to the ministers and to the government if the official refuses to cooperate. Such being the situation, it is not as if any official will completely ignore the non-officials after provincialisation.

One other point which has to be borne in mind in the creation of cadres of local civil service personnel is that in many states and in respect of many posts there are already men in position. Problems will then arise regarding integration, fixation of seniority, the proportion of direct recruitment and so on. These will have to be sorted out.

The common steps which the state governments can take on the municipal side are to review the existing provisions in statutes relating to local civil service personnel, investigate into the conditions of service and the types of posts and then select categories of posts in respect of which creation of cadres is desirable and feasible. No elaborate staff will be necessary for this exercise. A section in the secretariat consisting of a few assistants and a superintendent will be able to do it in a

period of three to six months. As regards panchayati raj institutions, the first step for the state governments would be to review the staffing pattern itself and then take up the question of creation of cadres at the level of panchayat samitis and zila parishads and after reasonable experience come down to the level of the panchayats. Where cadres have already been created their working can be usefully reviewed. □



# Municipal Police Role and Responsibilities\*

S.K. Sharma and D.R. Sachdeva

THE GROWTH of police force during the recent decades in the wake of rapid rise in crime and public disorders can partially be attributed to the growth of urbanisation and other compulsions of democracy. The primary duties of the civil police force are the protection of life and property, preservation of peace and order, traffic control and emergency services. The secondary role includes the enforcement of a wide variety of state and local laws, ordinances and regulations. The broad features of police organisation are much the same everywhere, but, of course, individual countries have individual geographical, social and other peculiarities, such as special types of crime, which call for special arrangements.<sup>1</sup>

The growth of urbanisation has been a prominent feature all over the world. In India the urban population is increasing at a fast rate creating a disorderly growth of towns and cities. More people are migrating from the rural to urban areas on account of better employment opportunities or availability of facilities for a richer and fuller living.

It is very unlikely that the present pattern of big city dominated urbanisation will undergo any drastic modification in the near future.<sup>2</sup> Due to the rapid social changes, the areas of police activity are expanding and their responsibilities are multiplying. In this paper, an attempt has been made to present the functions and responsibilities of the municipal police in the context of the developmental functions of municipal administration. In spite of the legal provisions for municipal police, the attitude in appointing them has mostly been casual. This can be illustrated by taking a case study of the Patiala Municipality.<sup>3</sup>

\*From *Indian Journal of Public Administration*, Vol. XXIV, No. 1, 1978, pp. 209-16.

<sup>1</sup>John Coatman, *Police*, Oxford University Press, London, 1959, Chapter V, p. 93.

<sup>2</sup>Ashish Bose, "India : The Urban Context", in S. C. Dube, *India Since Independence*, Vikas, Delhi, 1977, p. 121.

<sup>3</sup>Patiala is a well known city in Punjab. Its importance lies in its having been once a government seat of the erstwhile state of Patiala and also because of its rank among the first four cities of the state.

The observations in this paper are based on personal interviews with the municipal and police officers, perusal of official records and other research studies. As Punjab is one of the very few states (may be the only state) in India to introduce this experiment, and that too in a limited way, it was thought rewarding to present some facts of this municipal police for the consideration of the policy makers and municipal administrators elsewhere.

#### LEGAL SANCTION

In the Punjab Municipal Act, it is laid down that every municipal committee 'shall' maintain a sufficient police establishment for police requirements within the municipal limits and for the performance of the duties imposed on it by the Act.<sup>4</sup> Every member of a police establishment 'shall' give immediate information to the municipal committee of any offence committed against the Municipal Act or against the rules or bye-laws and 'shall' be bound to assist all members, officers and servants of the committee in the exercise of their lawful authority.<sup>5</sup> When Haryana came into being, the Punjab Municipal Act was repealed but the new Act has retained the separate section relating to municipal police. For example, the municipal police force has still to give immediate information to the committee of any offence committed against the Municipal Act or the bye-laws and may arrest any person charged with committing any offence: (a) if the name and address of the person are unknown, and (b) if the person declines to give his name and address, or if there is any reason to doubt the accuracy of the name and address given. The person can be detained until his name and address have been correctly ascertained.<sup>6</sup> It is also laid down that if the state government is of the opinion that police force is required by a committee on whole-time basis for a specified period exceeding one month for carrying out the various municipal functions, it may, on an application made by the committee, through the deputy commissioner, provide such police force.<sup>7</sup> The expenses have to be paid by the municipal committee.

Further, it has been provided that when special police protection is, in the opinion of the state government, required on the occasion of any fair, agricultural show or industrial exhibition, managed by a committee, or for the purpose of guarding houses, evacuated on account of plague, the state government may provide such protection and the committee 'shall' pay the whole charge thereof or such portion as reasonable.<sup>8</sup>

<sup>4</sup>*Punjab Municipal Act*, 1911, Section 87.

<sup>5</sup>*Ibid.*, Section 91.

<sup>6</sup>*The Haryana Municipal Act*, 1973, Section 103.

<sup>7</sup>*Ibid.*, Section 102.

<sup>8</sup>*Ibid.*, Section 104.

These legal provisions do exist but in actual practice, most of the municipal committees are silent about appointing such a force. In Punjab, there are at present 3 corporations, 12 class I municipalities, 53 class II municipalities, 32 class III municipalities and 10 notified area committees. But only three municipalities, e.g., Patiala, Ludhiana and Khanna have introduced municipal police. We are separately discussing in detail the case of Patiala. Ludhiana has now a new set-up of a corporation and Khanna relatively is not an important city. It would not however be wrong to draw an inference that there is no clear policy on the subject and appointment of such a force is more an exception than a rule.

The police is mainly expected to prevent commission of crimes as commonly understood and particularly conventional crimes besides ensuring orderly behaviour and functioning in public places. The police force which independent India inherited was, par excellence, a coercive force with an armed component which could enforce the will of the government through the use of force. Even after independence old traditions and colonial legacies continue and the Police Act of 1861 still reigns supreme. The existing position, by and large, is therefore an "ill-organised, ill equipped and ill-trained force which, though of the people, is not capable of performing the jobs which are the accepted responsibilities of a force of service of that nature".<sup>9</sup>

The tradition of performing peripheral functions is not new to Indian police. The *Arthashastra* shows that a large number of taxes were collected by the police. During the British period, a similar practice existed. In fact the police force was then made responsible for making arrangements on the road for the movement of defence forces, besides serving court processes and others. After independence, the police has been employed for conducting university examinations as well as for shadowing the active politicians.<sup>10</sup> At times the work is so diversified and removed from normal police functions that one wonders how its performance can be entrusted to the police organisation at all. The Indian Police Act has even provided for the appointment of special constables from the citizenry who may be required to function on a non-stipendiary capacity whenever called upon to do so.

#### FUNCTIONS AND RESPONSIBILITIES

Municipal police is not a separate cadre, nor is it recruited by the municipality. Whenever a municipal council wishes, a requisition is sent

<sup>9</sup>Trilok Nath, *The Indian Police : A Case for a New Image*, Sterling, Delhi, 1978, p. 124.

<sup>10</sup>D.H. Bayley, *Police and Political Development in India*, New Jersey, Princeton University Press, 1969.

to the district superintendent of police who, in consultation with the district authorities, sends some small contingent to the municipality on deputation. For example, in Patiala, ordinarily, there are one assistant sub-inspector (ASI), one head constable and 2 constables.<sup>11</sup> The police force is supposed to : (a) help the municipal administration in removing encroachments, so that traffic jams may be avoided, (b) keep effective control over law and order situation specially when certain occupations are to be vacated, (c) check unauthorised constructions and help in improving sanitation, and (d) stop evasion of octroi at the barriers or checkposts by pursuing the offenders and evaders.

Records however show that the municipal police in Patiala has been mostly employed to remove encroachments. The general feeling among the citizens, specially at the local level, is that normally there are few instances where strict action is taken or force used. In this connection, it would not be wrong to point out that at times the elected councillors themselves come to the rescue of the wrong-doers.<sup>12</sup> The number of encroachment cases are many and the number of cases pending in May, 1976 was as high as 16,384 in Ludhiana followed by 12,985 in Amritsar. Patiala had 1,877 cases.

Octroi has been a major source of income to most of the municipalities but at the same time it has been one of the most criticised taxes also. A number of committees and commissions have condemned octroi as a regressive and undesirable tax because of its adverse impact on trade and commerce.<sup>13</sup> The Government of India has, therefore, decided to abolish octroi but our inquiries have revealed that municipal police has often been used to check evasion of octroi.

Figures show that there has been increase in the collection of octroi in most of the class I municipalities in Punjab between 1975-76 and 1976-77, the minimum being in Hoshiarpur (6.47). There may be many reasons for this increase but it is revealing that the highest percentage increase (58.78) has been in Patiala where there is a municipal police followed by Ludhiana (21.63) where too a municipal police exists, i.e., the highest two positions in the percentage increase of octroi go to those

<sup>11</sup>At times, there are one sub-inspector and four constables.

<sup>12</sup>Refer R.T. Jaganu and B.A.V. Sharma, *Leadership in Urban Government*, New Delhi, Sterling, 1972.

<sup>13</sup>Fredoon P. Antia, "Economic Consequences of Octroi", *Economic Times*, September 11, 1976. The author says, "Not a single committee which has been given the assignments of investigating the position of road transport and/or any allied subject has a kind word to say about octroi-starting with the Taxation Enquiry Committee 1924-25, the Local Self Government. Committee 1939, the Dalal Committee on Motor Vehicle Taxation Enquiry 1950, the Taxation Enquiry Commission 1953-54, the Masani Committee 1959, the Committee on Transport Police and Coordination 1966, and Rural-Urban Relationship Committee 1966."

class I municipalities where there is municipal police. Data is not adequate to find any type of correlation between the presence of a municipal police and the collection of octroi but detailed studies can be undertaken to assess how far the police role has been effective.

#### PERSONNEL MATTERS

Wherever the municipal police is created, the personnel so deputed remain under the administrative control of the district police authorities. They are governed by the Punjab Civil Service Rules but the municipality can make a complaint and recommend punishment if they are found guilty. The final disciplinary action is taken only by the parent police department. Normally such cases are rare and our enquiries show that there has been an atmosphere of cooperation and mutual understanding. The deputation period of some of the officials is so small that the confidential reports of the executive officer do not provide any effective check. The expenditure on municipal police which the municipality has to incur is approximately Rs. 20,000 annually which is not high in the light of the functions the force is supposed to perform. Moreover, this expenditure is so insignificant compared to the establishment charges of the municipalities.

The system of dual supervision has at times been commented upon. It is maintained by some that the police is one unitary force for the whole state and any dilution in the chain of command breeds distrust, confusion and lowers efficiency. However, what is desired is a kind of arrangement and a personal equation and mutual understanding between the senior police officers at the district level and the officers of the municipal committee.

#### MUNICIPAL POLICE AT PATIALA

In a developing society, the scope for all kinds of social conflicts and tensions is considerable but the urban areas being nodal points of politics, agitations and demonstrations are in abundance. As provided under the Municipal Act 1911, the municipal police in Patiala is not a separate cadre by itself, nor recruited locally but one sub-inspector and a few constables are on deputation. The demand for having such a police force originated in Patiala in 1965 and the sanction of the government came in the same year.<sup>14</sup> Since its creation, it has had a chequered history. For instance, once when the deputy commissioner was acting

<sup>14</sup>Memo No. 5056-51/65/10698, dated March 31, 1965, from the Home Secretary to Inspector General of the Punjab Police.

as the administrator of the municipal committee he wrote to the government:

1. It has been observed that the municipal committee, Patiala, has been maintaining a police force consisting of one ASI, one head constable and two constables for the last few years. The committee has to pay Rs. 20,000 per annum to the police department for the maintenance of this police force. On the face of it, I think this is an *avoidable* expenditure which the municipal committee has been incurring from year to year.
2. I had a talk with the senior superintendent of police (SSP) Patiala. He was of the opinion that police help could be provided to the municipal committee or to any government/semi-government organisation through the district magistrate at the time of requirement. As the removal of encroachment is not a regular feature of the municipal committee, I think it is advisable to *return* the police force to the police department and the municipal committee may seek police assistance through the district magistrate whenever expedient.
3. Even from the *discipline* point of view, I think it is desirable not to place the police force directly under the control of a semi-government organisation.<sup>15</sup>

On the basis of the observations made by the administrator, the executive officer wrote to the SSP requesting him to immediately withdraw the police force from the municipality.<sup>16</sup> The police force was consequently withdrawn.<sup>17</sup>

After the withdrawal had been effected, the work of encroachments, traffic, etc., suffered because of the fact that without the police the task of removing encroachments could not be performed effectively. There were occasions when clashes took place, creating serious problems of law and order. These incidents became very common and created a constant worry to the municipal authorities. The administrator again wrote to the district authorities asking for police help on the same terms and conditions as before.<sup>18</sup>

The executive officer wrote to the SSP<sup>19</sup> requisitioning the police force but no reply was received. The need was felt so urgently that the

<sup>15</sup>Office of the Deputy Commissioner, Patiala, Letter No. 1474/LBA, dated 13.8.1973.

<sup>16</sup>Memorandum No. 5043, 18th August, 1973.

<sup>17</sup>S.S.P. Patiala Endst. No. 11706-11709, dated 3.12.1973.

<sup>18</sup>Vide Order No. 345, dated 15.12.1973.

<sup>19</sup>Memo No. 7218, dated Patiala Municipality, 17.12.1973.

administrator himself had to remind the district authorities and in the official communication it was admitted that without the municipal police, conflict between the officials of the municipality and those who made encroachments on municipal lands existed very much.<sup>20</sup> There was still no response and, therefore, the administrator had to write again to the district authorities.<sup>21</sup> This time the request was acceded to and one sub-inspector and four constables were deputed. The police was again withdrawn later and today the municipal committee of Patiala has a municipal police with a much reduced strength.

The presentation of the above facts makes it abundantly clear that the utility of the municipal police is being realised but for one reason or the other, no definite policy decision has been taken.

### THE EMERGING VIEW

In the scheme of democratic decentralisation, the role of local government is large and positive but a police force accustomed to work under the traditionally accepted norms is hardly suited for the developmental tasks. Already the over-centralised police force, nurtured and conditioned in the colonial style, is at variance with the spirit of local democracy and autonomy. Whereas it is not possible at this stage to recruit a separate municipal police with a different orientation and background, some screening or aptitude test before the police force is deputed for municipal work should be undertaken. The educational qualifications and recruitment standards, in particular, need to be raised and the intake levels or, entry points, made broad based so that the right type of personnel are available for selection.

Police administration in India needs to be revamped on the basis of two principles, namely, specialisation and autonomy. Due to the extent and multiplicity of social tensions, which urbanisation and modernisation bring in their wake, police tasks have become specialised and complicated. Right from recruitment to retirement the personnel policies and personnel development programmes for the police have to be thought out in the context of the changed objectives. When the entire police machinery and organisation is modernised, municipal police would also be changed.

Of late, taking issues to the street has become a fashion and in democratic terms it is justified on the ground that it introduces "the element of direct democracy by enabling individuals to make a direct impact on the decision-making process". Within the municipal limits, encroachments are on the increase, traffic dislocation, a common sight,

<sup>20</sup>Memo No. 116, 117, dated January 22, 1974.

<sup>21</sup>Office of the Administrator, Patiala Municipality Memo No. 269, dated February 26, 1975.

and evasion of taxes, a regular feature. Therefore, it may be desirable to strengthen the municipal police force rather than abolishing or reducing it. When in western countries, the universities maintain campus police, there is much more justification for local bodies in this country to ensure strict enforcement of their regulations, specially in these years with strains all around. Instead of having a small contingent, it may be advisable to go in for a slightly bigger contingent depending on the exigencies of the situation. Additional and assistant sub-inspectors are often appointed to cope with a heavy volume of work and their duties pertain to investigation, detection, intelligence, and prevention of offences and crimes which are common in urban situations. In some police stations they work as senior clerks and office superintendents, head constables and constables are also somewhere near the bottom of the ladder. The lower rungs of the hierarchy are neither recruited from amongst the qualified strata nor are they empowered to do jobs according to the changing needs of the community. Instead of sending junior police personnel, it may be rewarding to depute officers of senior rank to municipalities and the additional expenditure so incurred should not be a cause of much concern. During our interviews, it was brought out that such a step is likely to raise the status of the municipal police force *vis-a-vis* the other wings of municipal administration and bring more respectability to the municipality in the eyes of the citizens.

When people observe laws and comply with regulations, the municipal police is relieved of a large share of its burden. Public commendation and praise build police morale, which leads to increased efforts and an improved service.<sup>22</sup> A hostile public, on the other hand, may make conditions disagreeable. At the local level, policemen are to act with shrewdness and tact. They have to distinguish between service and servility and between courtesy and softness. They have to be firm without being discourteous, developing a position that is friendly and unbiased—pleasant in non-restrictive situations and firm in situations calling for regulation and control.

Is there any need or justification of a separate municipal police when the whole of the civil police is meant to maintain law and order? Should we regard municipal administration as something different? These and related questions need serious consideration, but this exploratory exercise only aims at introducing the reader to an important but unexplored area of activity of the police which has as yet not been sufficiently highlighted. □

<sup>22</sup> O.W. Wilson and R.C. McLaren, *Police Administration*, McGraw, USA, 1977, p. 222.





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